

# Agenda

## Greensboro City Council

REGULAR MEETING  
TUESDAY  
10 JANUARY 2006  
5:30 P.M.

1. Moment of Silence
2. Pledge of Allegiance to the Flag
3. Recognition of Courier
4. Council Procedure for Conduct of the Meeting

At hearings involving rezoning applications, proponents and opponents shall be provided a total of twenty (20) minutes notwithstanding the number of persons desiring to be heard. Proponents shall be heard first followed by comments from opponents. Each side may speak a total of five (5) minutes rebuttal.

5. Speakers from the Floor

Each speaker will be allowed a maximum of three minutes on non-public hearing agenda items. Speakers cannot cede their time to another speaker. This Speakers from the Floor segment will be limited to a maximum of 30 minutes.

### PUBLIC HEARING ITEMS:

6. Ordinance rezoning from Conditional District-General Office Moderate Intensity, Conditional District – General Office Moderate Intensity, and RS-12 Residential Single Family to Conditional District- Planned Unit Development for property located on the southeast side of New Garden Road between Brassfield Road and Medhurst Drive. This matter is being heard on appeal filed by Andrew M. Richelson after receiving a 7 to 1 vote at the Zoning Commission meeting to recommend approval of the rezoning. This matter was continued from the 15 November 2005 Council meeting; the public hearing has not been closed. (roll call vote) (Attachment #6 to Council members)

### MEMBERS OF COUNCIL

KEITH A. HOLLIDAY, Mayor	T. DIANNE BELLAMY-SMALL, District One
SANDRA ANDERSON GROAT, Mayor Pro Tem	GOLDIE FRINKS WELLS, District Two
FLORENCE F. GATTEN, At Large	TOM PHILLIPS, District Three
YVONNE J. JOHNSON, At Large	MIKE BARBER, District Four
	SANDY CARMANY, District Five

Public Hearing Items continue:

7. Ordinance amending Chapter 30, Section 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map (Figure 4-2) from the Low Residential to the High Residential land use classification for a portion of the property located on the north side of Freeman Mill Road between Willowmore Street and Glenwood Avenue. This matter was continued from the 20 December 2005 Council meeting; the public hearing has not been closed. (roll call vote) (Attachment #7 to Council members)
8. Ordinance rezoning from RS-7 Residential Single Family to Conditional District- RM-18 Residential Multifamily for property located on the north side of Freeman Mill Road between Willowmore Street and Glenwood Avenue. This matter was continued from the 20 December 2005 Council meeting; the public hearing has not been closed. (roll call vote) (Attachment #8 to Council members)
9. Ordinance annexing territory to the corporate limits-located at 1149 Pleasant Ridge Road—0.325 acres. (roll call vote) (Attachment #9 (PL(P)05-48) to Council members)
10. Ordinance establishing original zoning classification from County Zoning Agricultural and rezoning from City Zoning Conditional District – Light Industrial for property located on the west side of Pleasant Ridge Road north of West Market Street. (roll call vote) (Attachment #10 (PL(Z)06-01) to Council members)
11. Ordinance annexing territory to the corporate limits-located at 4636-4640 Long Valley Road—31.65 acres. (roll call vote) (Attachment #11 (PL(P)05-50) to Council members)
12. Ordinance establishing original zoning from County Zoning Agricultural to City Zoning Rs-12 Residential Single Family for property located on the east side of Long Valley Road south of the terminus of Broadleaf Road. (roll call vote) (Attachment #12 (PL(Z)06-02) to Council members)
13. Ordinance amending Chapter 30, Section 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map (Figure 4-2) from the Moderate Residential and Mixed Use Corporate Park to the Industrial land use classification for a portion of the property located along both sides of Knox Road at the northeast quadrant of the I-40/85 and Urban Loop Interchange. (roll call vote) (Attachment #13 (CP-05-18) and (PL(Z)06-03 and PL(Z)06-04) to Council members)
14. Ordinance annexing territory to the corporate limits-located at 1089 Knox Road—41.0 acres. (roll call vote) (Attachment #14 (PL(P)05-49) to Council members)



Public Hearing Items continue:

15. Ordinance establishing original zoning classification from County Zoning Corporate Park and rezoning from City Zoning Conditional District – RS-9 Residential Single Family, Conditional District – RM-5 Residential Multifamily and Corporate Park to City Zoning Conditional District- Light Industrial for property located on the north and south sides of Knox Road at the northwest quadrant of the I-40/85 & Urban Loop Interchange. (roll call vote) (Attachment #15 (PL(Z)06-03) to Council members)
16. Ordinance establishing original zoning classification from County Zoning Corporate Park and rezoning from City Zoning Corporate Park to City Zoning Conditional District – Light Industrial for property located on the east and west sides of Knox Road north of I-40/85. (roll call vote) (Attachment #16 (PL(Z)06-04) to Council members)

**CONSENT AGENDA ITEMS**  
**(One Vote)**

17. Resolution authorizing change order in the amount of \$333,207 in Contract No. 2003-03 with Yates Construction Company, Inc. for the construction of the Hilltop Road Improvements. (Attachment #17 to Council members)
18. Ordinance amending in the amount of \$15,000 State, Federal and Other Grants Fund Budget for Parks and Recreation Hester Park Lake Fish Restocking Grant as part of the construction of dam at Oka T. Hester Park Project. (Attachment #18 to Council members)
19. Ordinance amending in the amount of \$50,000 State, Federal and Other Grants Fund Budget for Parks and Recreation Phase II Southeast Connector Trail Grant. (Attachment #19 to Council members)
20. Motion to approve minutes of December 20, 2005.

**BUSINESS ITEMS:**

21. Resolution approving bid in the amount of \$15,760,000 and authorizing Contract No. 2005-032 with T. A. Loving, Inc. for the North Buffalo Sewer Transfer Pump Station Project. (roll call vote) (Attachment #21 to Council members)
22. Resolution providing for the issuance of \$12,000,000 General Obligation Public Improvement Bonds, Series 2006A. (roll call vote) (Attachment #22 to Council members)
23. Resolution amending Agreement with Greensboro Housing Authority for Housing Vouchers for Gulf Coast Evacuees. (roll call vote) (Attachment #23 to Council members)
24. Resolution extending the lease agreement with Bryan Park Golf, LLC and amending the provision for contribution by the City. (roll call vote) (Attachment #24 to Council members)
25. Addendum

26. Speakers from the Floor (if time permits)
27. Matters to be discussed by the Mayor and Members of the Council (if time permits)  
-Boards and Commissions Appointments
28. Matters to be presented by the City Manager (if time permits)

Attachments for Council's Information:

1. Report of Disbursements

INFORMATION FOR THE PUBLIC

- The first Speakers from the Floor segment will be limited to a maximum of 30 minutes. If no speakers are present, Council will proceed with other agenda items.
- If this meeting continues until after 11:00 p.m., Council will complete the public hearing and business items listed on the agenda and will then adjourn the meeting; speakers from the floor and Council comments at the end of the meeting will not be heard. If all business items are completed before 11:00 p.m., the meeting will continue with the understanding that Council intends to adjourn the meeting no later than 11:00 p.m.
- You may review attachments for this agenda in the City Clerk's Office or in the area outside the Council Chamber, Melvin Municipal Office Building, 300 West Washington Street, Greensboro, NC. If you have questions, please call Juanita Cooper or Susan Crofts at 373-2397.
- Any individual with a disability who needs an interpreter or other auxiliary aids or services for this meeting may contact Juanita Cooper or Susan Crofts at 373-2397 or 333-6930 (TDD).
- Citizens attending public meetings of the Greensboro City Council will be provided free parking after 5:30 p.m. in the public lot located at Washington/Eugene Streets, Governmental Center, Greensboro, NC.
- The next regular City Council meeting will be held on January 24, 2006 at 5:30 p.m. in the Council Chamber of the Melvin Municipal Office Building.



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Southeast Side of New Garden Road Between Brassfield Road and Medhurst Drive

Department: Planning Department	Current Date: November 3, 2005
Contact 1: Richard Hails	Public Hearing: November 15, 2005
Phone: 373-2922	Advertising Date: October 27 and November 3, 2005
Contact 2: Bill Ruska	Advertised By: City Clerk
Phone: 373-2748	Authorized Signature: <i>PW Hails</i>

Attachments: Attachment A: Vicinity Map (PL(Z) 05-50)  
Attachment B: Minutes of October 10, 2005 Zoning Commission Meeting  
Attachment C: Zoning Staff Report

**PURPOSE:**

Meredith Development (Randy Dixon) applied for rezoning from Conditional District – General Office Moderate Intensity, Conditional District – General Office Moderate Intensity, and RS-12 Residential Single Family to Conditional District – Planned Unit Development – Mixed for a portion of the property located on the southeast side of New Garden Road between Brassfield Road and Medhurst Drive. The Zoning Commission considered this application on October 10, 2005. The City Council conducted a public hearing on November 15, 2005 and continued the matter to the first Council meeting in January. There was significant opposition to the request. If the applicant agrees at the upcoming Council meeting to remove one or more conditions on the request that are less restrictive, such as not making a connection to Selkirk Drive, the matter would need to readvertised and a new public hearing set for a later date.

**BACKGROUND:**

The Zoning Commission voted 7 to 1 to approve the proposed rezoning.

Andrew M. Richelson appealed this decision to the City Council.

There was one speaker in favor of and eight speakers in opposition to this proposal (see Attachment B: Minutes of October 10, 2005 Zoning Commission Meeting).

This Conditional District – Planned Unit Development – Mixed rezoning application contains the following conditions:

- 1) Single Family Residential – 19.49 acres.
  - a) Maximum of 48 single family lots.
  - b) Maximum height of three stories.
  - c) Dimensional requirements based on RS-9.
- 2) Multifamily Residential – 8.93 acres.
  - a) Maximum of 90 units.
  - b) Units designed for sale.
  - c) Maximum height of three stories of habitable space with possibility of parking underneath building.
  - d) Dimensional requirements based upon RM-8.

Agenda Item: 6

- e) One curb cut on New Garden Road to access residential development.
  - f) Street connector will tie into existing stub at Selkirk Drive.
  - g) Stub street will connect to Northeastern side of development to four acre undeveloped tract.
  - h) Main road from New Garden Road to Selkirk Drive and cul-de-sac roads in Single Family area will be public streets, built to Greensboro Department of Transportation (GDOT) standards.
- 3) Commercial/General Business – 6.07 acres.
- a) All uses permitted in GB, with the exception of the following: Agricultural Uses; Recreational Uses; the following Business and Professional Services: auto rental or leasing; boat repairs; building maintenance and services; equipment rental and leasing; furniture repair shops; laundromats, coin-operated and/or plants; motion picture production; pest or termite control services; professional membership organizations; taxidermists; television, radio or electronic repairs; tourist homes; truck and utility trailer rentals; vocational, business or secretarial schools; outdoor advertising services; Transportation, Warehousing and Utility Uses; Manufacturing and Industrial Uses; and Other Uses: arts and crafts shows, carnivals and fairs.
  - b) Maximum square footage of development shall be limited to 50,000 square feet of GFA.
  - c) No pylon sign will be permitted within proposed development. All signage along New Garden Road frontage will be monument signage, limited to six feet in height, with sign area in compliance with the City of Greensboro Development Ordinance.
  - d) Site lighting will be designed in a manner to eliminate direct illumination onto adjacent properties and that site lighting standards and fixtures not exceed 20 feet in height.
  - e) Buildings will not exceed three stories in height.
  - f) All trash handling areas will be screened from public view.
  - g) The property will be designed and developed in a unified manner and will incorporate similar and complementary architectural features.
  - h) Maximum of two curb cuts as approved by GDOT.

A vicinity map of the proposed rezoning is attached along with a copy of the Zoning Staff Report.

**RECOMMENDATION / ACTION REQUESTED:**

The Planning Department recommends approval of the ordinance.

- g) Stub street will connect to Northeastern side of development to four acre undeveloped tract.
  - h) Main road from New Garden Road to Selkirk Drive and cul-de-sac roads in Single Family area will be public streets, built to Greensboro Department of Transportation (GDOT) standards.
- 3) Commercial/General Business – 6.07 acres.
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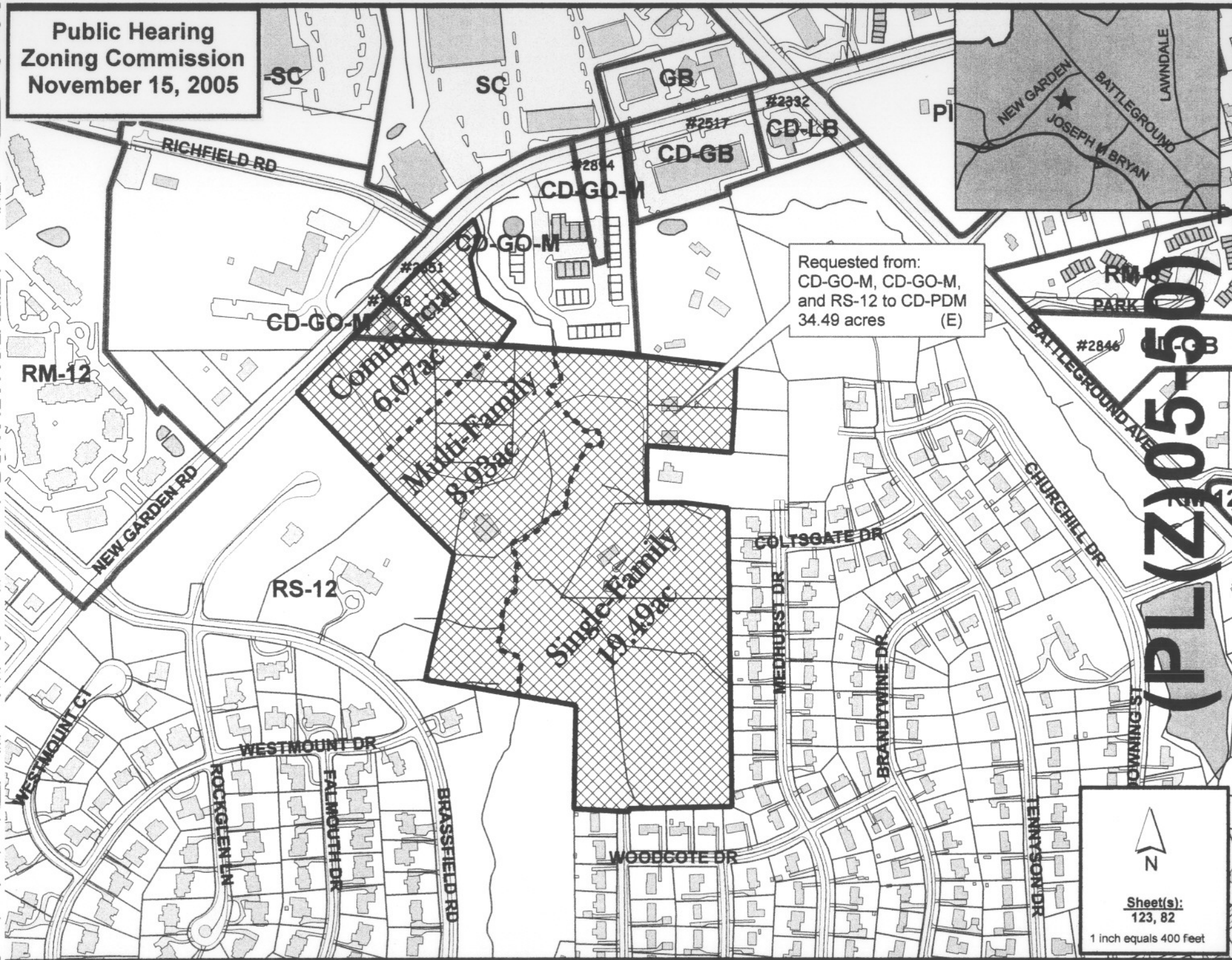
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**RECOMMENDATION / ACTION REQUESTED:**

The Planning Department recommends approval of the ordinance.



Public Hearing  
Zoning Commission  
November 15, 2005



Sheet(s):  
123, 82

1 inch equals 400 Feet



ATTACHMENT B

MINUTES OF OCTOBER 10, 2005  
ZONING COMMISSION MEETING  
(PL(Z) 05-50)

Mr. Ruska presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Randy Dixon, 1205 West Bessemer Avenue, Suite 218, represented the parties requesting this rezoning. They have worked with various City staff members over the past months in order to minimize and streamline their request to meet the requirements of the 2025 Comp Plan. He explained how he felt this meets the vision statement of the Comp Plan. They propose a mixed use Planned Community that includes a planned residential area mixed with supporting retail and small to medium scale office development. This is in keeping with the GFLUM of the area designated as "activity center" from the New Garden and Battleground Avenue intersection. The residential sections provide a complimentary mix of housing types that still keeps the total residential density at the low density residential category. This will also meet other policies of the Comp Plan. He handed up information for the Commissioners' consideration and explained the contents. They contacted over 70 properties. There was a copy of a letter sent to every individual property owner up there on the monitor telling them about the development and asking them to come to a neighborhood meeting held to discuss their plans. There is also a list of 24 families they had represented at their first meeting and also different neighbors with whom he spoke before and after the meeting up to yesterday. He was asked to attend the neighborhood meeting held last week. He believed the meeting and conversations had been positive and he had attempted to answer questions and provide information about their plans. He then gave a general list of items discussed. The major issue raised by the neighbors was the connectivity issue of Selkirk Drive and potential connection to Churchill Drive. He presented a conceptual plan that he had shared with the neighbors concerning how the basic road system is to be laid out. He told the neighbors that he would state here that if the decision were made ultimately to change the basic road system, then they would be glad to incorporate those changes into their scheme. Mr. Dixon said due to the topography in the area, in some places it seemed to make sense to put the parking under the buildings.

Speaking in opposition to the request were Ann Parlier, 3412 Gloucester Drive; Mike Parrish, 3704 Brandywine Drive; Mike Allen, 2101 Medhurst Drive; Caretta Banks, 3801 Derby Drive; Mike Iddings, 2003 Medhurst Drive; David Huprich, 3410 Londonderry Drive; Louie Hale, 3702 Brandywine; and James Gill, 1906 Medhurst Drive. Their oppositions to the request were: connectivity at Selkirk and Churchill, creation of cul-de-sacs, commercial areas, density, quality of life affected, environmental problems, safety hazard and integrity of the neighborhood.

Chair Wolf closed the public hearing.

Mr. Hails said he could not remember a rezoning request where there were no

objections to the land uses. Perhaps that bodes well for the future in some of the mixed use development they are trying to encourage. The GFLUM for this location shows a combination of mixed use commercial and low density residential development within an activity center designation. Staff feels the proposed rezoning performs well with those land use guidelines particularly in a suburban infill type location. There are numerous other policies in the Comp Plan they believe that support this request, including diversity of housing types and mixed income housing. With regards to compatibility issues related to connectivity, he noted that there are nine specific issues looked at and reviewed by staff covering a wide variety of general concerns. Staff also feels that the proposed conditions attached to the request, while not overly detailed on design criteria, do aid in compatibility with some of the surrounding areas. Overall, staff does recommend approval of the request.

Mr. Schneider said the two sides seem to be working together well and can probably, if they keep talking with GDOT, come up with something with which everyone will be happy. He thought this was a great land use for the area from the commercial up front and he thought that is where the majority of the trips are and he intends to support this.

Mr. Collins agreed with Mr. Schneider that this was a good example of a neighborhood group and a developer working together. He was curious what their process would be to be able to change the connectivity. Could that occur at the next City Council meeting, if they file to have it heard there?

Mr. Hails said just as there were conditions attached to this rezoning, additional conditions could be added, subtracted and modified. Any conditions to a rezoning have to be offered up by the applicant for the rezoning. Then City Council could, in their consideration of the rezoning request, modify those. A separate way of dealing with connectivity issues, not through the zoning process, is through the subdivision process. If a subdivision is brought forward to the Technical Review Committee (TRC), they are responsible for reviewing the adopted development standards for the City and making sure they are put in place. If someone disagrees with the requirement of a TRC decision, such as a connection to an existing neighborhood, they could appeal that to the Planning Board and on to City Council, if they chose. But in this case, if the rezoning goes to Council, then Council could modify conditions related to the request with some interaction with the applicant as well.

Mr. Collins said he was familiar with the character and integrity of these neighborhoods. Also what the developer was planning to do is a great thing because there are about 36 acres to do something the right way. So many times what will come before us in small parcels that end up looking like a patchwork when you try to put the whole together. So he thought what they had here was a good, solid development. As Mr. Schneider said, he thought this was a great use of that property that is off New Garden Road and he will support it and hope from here they can get their connectivity issues resolved and he believed they will.

Chair Wolf said he was not in favor of connectivity in that neighborhood, but he was going to give the opposing view. He was on the Citizen Advisory Taskforce for the rewrite of the Land Development Ordinance for the City and connectivity is a big component of looking at the rewrite of our Land Development Ordinance. The lack of that connectivity limits your ability to do such things as ride a bike or walk to Westridge Road. There is not even a sidewalk, to his recollection, on 220 for you all to leave your

neighborhood and walk to anything. Do what Mr. Collins says to do, but you need to be aware that there are more issues related to it. He thought it was a shame that there wasn't some way possibly to even create bike trails in lieu of street access.

Ms. Shipman said she knew that being on the Zoning Commission meant that they were to use the guidelines for zoning and that was important. She thought this request should go to City Council and that was what she would like to vote on, but she was sure everyone had come because they were serious about their community.

Ms. Shipman moved the ordinance, seconded by Mr. Schneider. The Commission voted 7-1 in favor of the motion. (Ayes: Wolf, Collins, Kauber, Matheny, Miller, Schneider, Spangler. Nays: Shipman.)

**Attachment C  
(PL(Z) 05-50)**

**City of Greensboro Planning Department  
Zoning Staff Report  
October 10, 2005 Public Hearing**

*The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.*

**Item:** E  
**Location:** Southeast side of New Garden Road between Brassfield Road and Medhurst Drive

**Applicant:** Meredith Development (Randy Dixon)  
**Owner:** New Garden Moose Lodge et al.

**From:** CD-GO-M, CD-GO-M & RS-12  
**To:** CD-PD-M

- Conditions:**
- 1) Single Family Residential – 19.49 acres.
    - a) Maximum of 48 single family lots.
    - b) Maximum height of three stories.
    - c) Dimensional requirements based on RS-9.
  - 2) Multifamily Residential – 8.93 acres.
    - a) Maximum of 90 units.
    - b) Units designed for sale.
    - c) Maximum height of three stories of habitable space with possibility of parking underneath building.
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    - e) One curb cut on New Garden Road to access residential development.
    - f) Street connector will tie into existing stub at Selkirk Drive.
    - g) Stub street will connect to Northeastern side of development to four acre undeveloped tract.
    - h) Main road from New Garden Road to Selkirk Drive and cul-de-sac roads in Single Family area will be public streets, built to Greensboro Department of Transportation (GDOT) standards.
  - 3) Commercial/General Business – 6.07 acres.
    - a) All uses permitted in GB, with the exception of the following:  
Agricultural Uses; Recreational Uses; the following Business and Professional Services: auto rental or leasing; boat repairs; building maintenance and services; equipment rental and leasing; furniture repair shops; laundromats, coin-operated and/or plants; motion picture production; pest or termite control services; professional membership organizations; taxidermists; television, radio or electronic repairs; tourist homes; truck and utility trailer rentals; vocational, business or secretarial schools; outdoor advertising services; Transportation, Warehousing and Utility

Uses; Manufacturing and Industrial Uses; and Other Uses: arts and crafts shows, carnivals and fairs.

- b) Maximum square footage of development shall be limited to 50,000 square feet of GFA.
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- h) Maximum of two curb cuts as approved by GDOT.

SITE INFORMATION	
Maximum Developable Units	138
Net Density	4.0 du/acre
Existing Land Use	2 Sisters Art Gallery, Single Family, New Garden Moose Lodge
Acreage	34.49
Physical Characteristics	<i>Topography:</i> Rolling <i>Vegetation:</i> Wooded <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Mixed Use Commercial & Low Residential
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
North	Fellowship Presbyterian Church & Day School	RS-12
South	Single Family	RS-12
East	Brassfield Professional Center Offices	CD-GO-M
West	Single Family	RS-12



ZONING HISTORY		
Case #	Year	Request Summary
2851	2000	This majority of this property has been zoned RS-12 since July 1, 1992. Prior to the implementation of the UDO, it was zoned Residential 120S. A portion of this property was rezoned to CD-GO-M by the Zoning Commission in July 2000. The conditions for this rezoning (#2851) are described below.
3018	2002	A triangular 0.4 acre portion of the subject property was rezoned to CD-GO-M by City Council in March 2002 upon an appeal of a denial by the Zoning Commission in February 2002. The conditions for this rezoning (#3018) are described below. This is the property which contains the 2 Sisters Gallery.

DIFFERENCES BETWEEN CD-GO-M/RS-12 (EXISTING) AND CD-PDM (PROPOSED) ZONING DISTRICTS	
<p><b>CD-GO-M (#2851):</b> Primarily intended to accommodate moderate intensity office and institutional uses, moderate density residential uses at a density of 12.0 units per acre or less, and supporting service uses. The use limitations exclude hotels/motels, banks and several other uses. The conditions limit buildings to two stories, require the buildings to have a residential appearance, require an opaque privacy fence along property lines adjoining residentially zoned property, require preservation of perimeter trees and screening of trash containers, and require lighting to be directed away from adjoining properties.</p> <p><b>CD-GO-M (#3018):</b> Contains restrictions similar to CD-GO-M #2851.</p> <p><b>RS-12:</b> Primarily intended to accommodate moderate density single family detached dwellings in developments where public water and sewer service is required. The overall gross density will typically be 3.0 units per acre or less.</p> <p><b>CD-PDM:</b> Intended to accommodate residential, commercial, and light industrial uses developed on large tracts in accordance with a Unified Development Plan. See Conditions for use limitations and other restrictions.</p>	



<b>TRANSPORTATION</b>	
<b>Street Classification</b>	New Garden Road – Major Thoroughfare.
<b>Site Access</b>	Two access points are proposed to this property to New Garden Road. All access point must meet the minimum standards of the City of Greensboro Driveway Manual.
<b>Traffic Counts</b>	New Garden Road ADT = 16,500.
<b>Trip Generation</b>	24 Hour = 4,127, AM Peak Hour = 461, PM Peak Hour = 337.
<b>Sidewalks</b>	Requirement per Development Ordinance. A 6' sidewalk with a 4' grass strip is required along both sides of thoroughfares. A 5' sidewalk with a 4' grass strip is required along one side of all other public streets.
<b>Transit</b>	No.
<b>Traffic Impact Study</b>	Yes required per TIS Ordinance. Please see the Additional Information section of this staff report for the Executive Summary of the TIS.
<b>Street Connectivity</b>	An extension/connection of Selkirk Drive may be required as a part of this development. Please see the Additional Information section of this staff report for the results of the Street Connection Policy.
<b>Other</b>	N/A.

<b>ENVIRONMENTAL REVIEW</b>	
<b>Water Supply Watershed</b>	Yes, Greensboro WS-III
<b>Floodplains</b>	According to Preliminary (under public review) Flood Insurance Rate Maps the stream flowing on the property has a flood plain associated with it. Preliminary FIRM's show the floodway does encroach onto the northern portion of the tract(above Duck Club Rd.). Development can occur with the 1% chance annual flood area (special flood hazard area - SFHA) as long as the finished floor elevation is at least 1 foot above the base flood elevation. Refer to Greensboro floodplain ordinance for additional details. An elevation certificate for the finished floor may be required.
<b>Streams</b>	For high density development (24 – 70% BUA) a 100' buffer is required for perennial streams. For low density option perennial streams requires a 30' buffer on each side (0 – 24% BUA) measured from top of steep slope, edge of wetland, or top of bank, whichever produces greatest buffer. No BUA allowed within the buffer.
<b>Other</b>	Maximum Built Upon Area (BUA) is 70% for high density development. All BUA must be treated by State approved BMP. Possibility of wetlands.

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
North	N/A
South	N/A
East	N/A
West	N/A

## CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

### Connections 2025 Written Policies:

**POLICY 4C.2:** Establish performance-based guidelines and incentives for infill locations, including:

- **Mixed residential uses/mixed uses where appropriate**
- **Connected, pedestrian-oriented streets**
- **Conditions for edge treatment (buffers, connectivity, compatibility)**
- Flexible requirements such as dimensional criteria and parking to address local contexts
- Protection of adjacent uses and site-specific approvals shall be required.

**Parks, Open Space, and Natural Resources Goal:** Protect and restore Greensboro's irreplaceable scenic and natural resources: its system of parks and greenways, urban and woodland tree canopy, stream corridors and wetlands, and air and water quality.

**Housing and Neighborhoods Goal:** Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

**POLICY 6A.2:** Promote mixed-income neighborhoods.

**POLICY 6C:** Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

**POLICY 8B.2:** Support and apply policies to promote walkability and bicycling including the prioritization of city-funded pedestrian and bicycle improvements and modifications of development standards.

**POLICY 8F.1** Modify development standards for new developments and infrastructure projects to support transportation objectives, including:

- **Effective spacing and connectivity of collector roads**
- **Adequate connectivity of the local street system** (eliminate cul-de-sacs, except where environmental constraints preclude street connectivity)
- Roadway standards flexible enough to allow context-appropriate designs
- Pedestrian and bicycle facilities that are safe, convenient, and attractive
- Access management standards that preserve corridor capacities

## **Connections 2025 Map Policies:**

*The area requested for rezoning lies within the following map classifications:*

**Mixed Use Commercial:** This designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. Where applied to older highway corridors characterized by "strip" commercial uses, the intent is to encourage infill and redevelopment for a more diverse and attractive mix of uses over time. Examples include residential units over commercial uses or a wider array of economically viable uses to replace obsolete uses. Such areas also may represent opportunities for the introduction of substantial higher density and/or mixed-income housing, with negligible impacts on, or resistance from, nearby single-family neighborhoods. Ensuring that buildings are of the appropriate scale and intensity is critical, as is ensuring that sites are designed in a coordinated, as opposed to a lot-by-lot, manner. New "strip" commercial development is discouraged.

**Low Residential (3-5 d.u./acre):** This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

**Activity Center:** Activity Centers are existing or anticipated future concentrations of uses that function as destinations or hubs of activity for the surrounding area. Typically located in areas of mixed use shown on the Generalized Future Land Use Map, such centers are intended to include features such as a mix of higher intensity uses (housing, retail, office, etc.), compact development patterns, and pedestrian and transit linkages. A one-half mile radius (considered the limit of a comfortable walk) is shown around each activity center except for the Downtown, which functions as an activity center for the entire City. It should be noted that the locations shown on the Generalized Future Land Use Map are conceptual and do not preclude the development of Activity Centers in other locations where they would support the goals and policies of the Comprehensive Plan.

## **CONFORMITY WITH OTHER PLANS**

*The following aspects of relevant plans may be applicable in this case:*

**City Plans:** N/A

**Other Plans:** N/A

## **STAFF COMMENTS**

### **Planning:**

It appears that there is a drainageway crossing this site that is depicted on the City's "Drainageway and Open Space" map. When this site is subdivided, the Subdivision Ordinance would require the dedication of those areas to the City of Greensboro as drainageway and open space. The width of the dedication along that drainageway will depend on the size of the pipe it would take to cross said drainageway. If a crossing would require a 66-inch or greater pipe, the required dedication would include the land between the natural one-hundred-year flood

contour lines as determined by the City. That area may be reduced in width by filling provided that a minimum average width of two hundred feet is maintained, a minimum width of one hundred feet is maintained at the narrowest point, no fill is placed within a designated floodway, and no slope greater than three to one is created. Article VII, Section 27-22 Stormwater management control requirements, and federal wetlands regulations will prohibit or restrict fill placement in certain locations. If the crossing would require a pipe smaller than 66-inches the minimum average width would be sixty feet.

Due to the required dedication of open space, this request is supported by the Comprehensive Plan Park, Open Space and Natural Resources goal.

This proposed mixed planned unit development is consistent with the Mixed Use Commercial and Low Residential land use classifications on the Generalized Future Land Use Map (GFLUM) of Connections 2025. This property also lies within the boundaries of an Activity Center which promotes higher density and intensity of uses. This project offers a good suburban transition of land uses from the commercial component along New Garden Road through the higher density multifamily component to the single family component which is adjacent to the single family lots on Selkirk Drive, Woodcote Drive and Medhurst Drive. However, within mixed-use projects some of the key components are pedestrian amenities and connections, especially between the different uses (e.g. between the residential and non-residential). According to the information that has been provided with this case, we cannot ensure that the pedestrian amenities and connections will be included. Staff encourages these provisions to be made either as conditions during the rezoning or providing them at the time of site plan.

This case is also supported by Comprehensive Plan policies that address diversification of housing and mixed income housing.

Another policy supported by the Comprehensive Plan is street connectivity. Staff supports the connection to the adjacent British Woods subdivision. This connection will provide for a safe and efficient connection for all modes of travel (auto, bicycle and pedestrian). Due to the circuitous street layout in the British Woods subdivision staff does not feel that this connection will have negative impacts on the existing neighborhood. Furthermore, staff encourages a circuitous street layout within the subject property itself to help ensure its use primarily by local traffic.

Extensive use limitations, especially with the commercial component of this mixed use proposal, signage controls, site lighting provisions, and screening of trash handling areas all contribute to ensuring that this development will be compatible with surrounding land uses. Furthermore, a condition requires that the development will be designed in a unified manner with similar and complementary architectural features.

Staff sees the commercial component of this project as the westernmost boundary of non-residential land use along New Garden Road. This would be consistent with the GFLUM since it is roughly the point where Mixed Use Commercial changes into Low Residential.



**GDOT:** New Garden Road from Jefferson Road to Brassfield Road is scheduled for construction to be widened to a 4 lane divided facility in the Spring of 2006.

**Water Resources:** Channels that carry public water require a drainage, maintenance, utility easement. Appropriate permits must be obtained from the State and Army Corps for any wetlands disturbance and/or stream crossing/disturbance.

The purpose of a subdivision is to create buildable lots therefore quantity and quality must be addressed for the subdivision as a whole at the time of subdivision. See city of Greensboro ordinance Sections 30-6-7.1 and 27-22d (2) b which states that all subdivisions require a preliminary plat and that a Stormwater Management plan is required prior to preliminary subdivision plat approval.

The development of a portion of the site along New Garden Road (Plan Tracking # 2000-0006; Brassfield Professional Centre) was previously approved by TRC. Should any major changes to the approved site development be proposed (with concurrence from Planning and Legal Dept.) then "Grandfathering" status (for Stormwater Management) would no longer apply.

The tract is located in a Special Flood Hazard Area based on Preliminary Flood Insurance Rate Maps (currently under public review). Refer to the City of Greensboro Preliminary Flood Maps for additional detail. Preliminary Flood Insurance Rate maps represent "best available information" and their use is strongly encouraged. Development plans need to show the location of any buildings on the site and their location with respect to the Special Flood Hazard Area.

#### **STAFF RECOMMENDATION**

Based on all the information contained in this report, the Planning Department recommends approval.

## ADDITIONAL INFORMATION

### I. Executive Summary

The New Garden Moose Lodge Development is proposed to be located along the southern side of New Garden Road, just west of the intersection of Battleground Avenue and New Garden Road, in Guilford County, North Carolina as shown in Figure 1. This proposed development is planned to consist of the following land uses:

- 47 units of single family detached homes
- 90 units of residential townhomes
- 10,000 sf of sit-down restaurant
- 40,000 sf of specialty retail

The purpose of this report is to evaluate the proposed development in terms of projected traffic conditions, evaluate the ability of the adjacent roadways to accommodate the additional traffic volumes, and to recommend transportation improvements needed to mitigate congestion that may result from the additional site traffic. This report presents trip generation, trip distribution, traffic analyses, and recommendations for transportation improvements needed to meet anticipated traffic demands. This report examines existing conditions, 2007 no-build conditions, and 2007 build-out conditions.

According to the preliminary sketch plan, the development is proposed to have two accesses on New Garden Road, one just north of the Duck Club Road and one immediately across from Richfield Road. There is also a proposed stub street connection to the east and a stub street connection to the south on Selkirk Drive.

The proposed development is projected to generate approximately 4,127 trips per day with 461 trips predicted to occur during the morning peak hour and 337 predicted to occur during the afternoon peak hour.



A summary of the Highway Capacity Software Analysis analyzed using Synchro version 6.0 is shown in the following table:

New Garden Moose Lodge Development Level of Service Summary						
	2005 Current		2007 No-Build		2007 Build	
Intersection	AM	PM	AM	PM	AM	PM
Battleground Avenue / New Garden Road	D (41.7)	D (42.8)	D (41.8)	D (43.3)	D (46.5)	D (46.0)
New Garden Road / Brassfield Road	D (38.9)	D (46.8)	D (40.2)	D (48.7)	D (41.7)	D (50.2)
New Garden Road / Site Access #1	N/A	N/A	N/A	N/A	# (2.2) C (22.4) NB	# (1.4) C (20.9) NB
New Garden Road / Richfield Road / Site Access #2	N/A	N/A	N/A	N/A	# (2.6) D (27.2) NB	# (1.7) D (25.9) NB

# - No letter value assigned by Synchro, only overall intersection delay

*The table illustrates that the proposed development will have minimal impact on the traffic operations at the signalized intersections on New Garden Road at Brassfield Road and Battleground Avenue. All study area intersections are predicted to be operating at an acceptable level of service with the proposed development during the AM and PM peak hours.*

### Recommended Improvements

This study shows that no improvements will be required to provide safe and efficient ingress and egress or to enhance traffic operations and public safety in the vicinity of the proposed development. Both full movement access points to the proposed development should meet or exceed NCDOT and GDOT standards.

### Conclusions

This study shows that the proposed development will not have a significant negative impact on traffic operations along New Garden Road or at the signalized intersections at Battleground Avenue or Brassfield Road. There are no unacceptable delays predicted for any of the study area intersections or minor movements. All intersections are predicted to operate at acceptable levels of service with or without the proposed development.

The traffic projected to be generated by the proposed development should not materially endanger public health, safety, or welfare.

## **Street Connection Policy:**

In accordance with Section 30-6, 13.3 (C) of the Greensboro Development Ordinance, street extensions that extend from existing neighborhood through a proposed development site into or through another existing neighborhood shall be evaluated and established based on the following criteria:

1. Emergency Response Times:  
How much a street connection may decrease emergency response times or enhance emergency vehicle access.  
(Fire Department to evaluate - Robert Cudd)

The Selkirk Drive connection would greatly improve the response time for the secondary responding Fire Station. Police and EMS may be responding from anywhere in the City and this connection will certainly improve their response times.

2. Excessive Block Lengths:  
Evaluate current neighborhood block lengths and determine if a street connection is needed.  
(Planning Department to evaluate - Steve Galanti)

A1. Block length shall not exceed one thousand, five hundred (1,500) feet:  
The block along the south side of **New Garden Road** (between Battleground and Brassfield) is currently approximately 2,958 feet. With the connection of the through-street the block would be divided into two segments, one at approximately 1,988 feet and one at approximately 963 feet. Although the connection depicted on the map submitted for review would create one block that complies with the Ordinance and one that does not comply with the requirements of the Ordinance, the situation would be closer to compliance (and meeting the intent of the provision) than not having the connection. **Therefore, the connection is recommended.**

A2. Block length shall not exceed one thousand, five hundred (1,500) feet:  
The block along the north, west and south sides of the **Woodcote/Selkirk/ Derbyshire/Brandywine/ Whitehurst** block (between Dickens and Westridge) is currently approximately 4,527 feet. With the connection of the through-street the block would be divided into two segments, one at approximately 328 feet and one at approximately 4,199 feet. Although the connection depicted on the map submitted for review would create one block that complies with the Ordinance and one that would not comply Ordinance, the situation would be closer to compliance (and meeting the intent of the provision) than not having the connection. **Therefore, the connection is recommended.**

B. Maximum block perimeter of six thousand (6,000) feet:

The current block perimeter measures approximately 27,008 feet. With the street connections as depicted on the submitted plan the current block would be divided into two blocks, one with a perimeter of approximately 10,328 feet and one with a perimeter of approximately 21,193 feet. Although the connection depicted on the map submitted for review does not comply fully with the requirements of the Ordinance, the situation would be closer to compliance (and meeting the intent of the provision) than not having the connection. **Therefore, the connection is recommended.**

*NOTE: The dimensions referenced above cannot be further reduced in the future due to the existing development patterns and previous decisions not to connect streets in this area.*

C. Cul-de-sac Maximum Length: The maximum distance from an intersecting through street to the end of a cul-de-sac shall be eight hundred (800) feet. Without the street connections the result would be the creation of seven cul-de-sacs. The "northern" cul-de-sac would be approximately 2,079 feet, the "northeastern" one would be approximately 1,530 feet, the "mid-eastern" one would be approximately 1,777 feet, the "southeastern" one would be approximately 1,945 feet, the "southern" one would be approximately 1,810 feet, the "western" one would be approximately 1,697 feet, and the "Selkirk" one would be approximately 160 feet. With the street connection the "northern" cul-de-sac would be reduced to approximately 663 feet, the "northeastern" one would be reduced to approximately 140 feet, the "mid-eastern" one would be reduced to approximately 140 feet, the "southeastern" one would be reduced to approximately 140 feet, the "southern" one would be eliminated, the "western" one would be reduced to approximately 140 feet, and the Selkirk one would be eliminated. The connection depicted on the map submitted for review would reduce the total number of cul-de-sacs (7 to 5) and reduce their length to comply with the Ordinance. (NOTE: If a stub street is extended to the eastern or northern lot line additional cul-de-sacs could be shortened and/or eliminated.) **Therefore, the connection is recommended.**

3. Traffic Congestion:

Existing and/or anticipated street patterns warrant a street connection(s) in order to reduce traffic congestion.

(Greensboro Department of Transportation to evaluate - Carrie Reeves)

The proposed street extension/connection is proposed to be local residential street, and is not anticipated to have any impact on traffic congestion level within the area.

4. Pedestrian:  
Existing street and sidewalk patterns warrant a street connection(s) and or sidewalk connection(s) to enhance pedestrian and bicyclist activities.  
(Greensboro Department of Transportation to evaluate - Peggy Holland)

The proposed street connection will provide pedestrian and bicycle connection between existing and proposed residential streets.

5. Coordinated Street Plan:  
A street connection fits into adopted street plans (thoroughfare plan, collector street plan, and local street plan)  
(Greensboro Department of Transportation to evaluate - Carrie Reeves)

There are no adopted street plans for this area.

6. Extraneous Traffic:  
Whether or not a proposed street connection(s) would encourage traffic volumes with origins and destinations outside the existing neighborhood or encourage truck traffic to pass through the neighborhood.  
(Greensboro Department of Transportation to evaluate - Carrie Reeves)

The proposed street connection is not anticipated to encourage extraneous traffic to utilize this local residential street network.

7. Impacts to Natural Areas:  
Whether or not a proposed street connection(s) would adversely affect streams, lakes/ponds, and whether or not there are topographical barriers or unique natural areas.  
(Greensboro Department of Transportation, Water Resources Department, and Parks and Recreation Department to evaluate – Carrie Reeves, Virginia Spillman, Mike Simpson)

Water Resources: This site has one perennial stream and two intermittent streams that would be affected by the street layout as highlighted on the zoning map. Stream #1 is a perennial stream that runs north to south. Stream # 1 will have to be crossed at least once if the connectivity takes place. Perennial streams in this water supply watershed require a 100' buffer on each side measured from top of bank if high density development is proposed (24%-70% of built upon area) or a 30' buffer if low density development is proposed (0-24% of built upon area). No built upon area is allowed within the buffer except for utility crossings and street crossings. If this connectivity is proposed the built upon area must be completely outside of the buffer unless it's a street crossing.

If Selkirk Rd is connected to New Garden Rd it would require at least one crossing of a perennial stream (Stream #1) and one crossing on 2 intermittent streams (at least 3 stream crossings). Also, there could potentially be wetlands



associated with the streams. A required street crossing perpendicular to the stream is allowed if appropriate permits are obtained. As with any perennial stream crossing, it would have to be made as close to 90 degrees as possible and all appropriate permits/approvals would have to be obtained from the state and the corps. Any wetlands disturbance also requires permits from the state and corps.

Parks and Recreation: No adverse affects to streams, lakes and ponds beyond those associated with normal construction activities or methods. No known topographical barriers. The site potentially does contain historic artifacts associated with the Battle of Guilford Courthouse, March 15, 1781 as the property in question was a travel corridor for British Troops coming from Deep River Friends Meeting Hall in High Point, NC.

8. Impacts to Public Facilities:

Whether or not a proposed street connection(s) would adversely affect other public facilities such as parks, bike trails, nature trails, and natural areas. (Greensboro Department of Transportation and Parks and Recreation Department to evaluate public facilities - Peggy Holland, Mike Simpson)

Parks and Recreation: No negative impacts to public facilities anticipated other than the historic significance and impacts noted in question #7.

GDOT: No planned public improvement projects in this area.

9. Public Service Delivery:

Whether or not a proposed street connection would enhance delivery of public services.

(Greensboro Department of Transportation and Environmental Services to evaluate - Carrie Reeves, Jeryl Covington)

GDOT: The proposed street connections will improve the routing and delivery of goods and public services such as solid waste collection, mail/package deliveries, school bus routing, and water/sewer line connections.

Environmental Services: It continues to be the Department's preference to require the connection of all streets to allow ease of service delivery. During the event in which connectivity is not physically possible, it is the preference of the Department to allow adequately sized turnarounds. Such turnarounds should be constructed to the minimum City street design standards.

This recommendation is based on the Department's ability to provide solid waste services. For the solid waste operations, staff is instructed to avoid backing the solid waste vehicles. Five independent solid waste collection services are provided to resident/businesses on a weekly basis. Three of the five services are managed by a single operator, no safety spotter is available to guide the vehicle

or assist maneuvering the vehicle safely with its inherent blind spots. The minimum length of the solid waste vehicles is 33 feet. Due to these constraints, operators are instructed to avoid backing and use available constructed turnarounds and paved areas. Supervisory staff notifies residents of obstacles placed within the turnaround locations that prevent the delivery of solid waste services.

Conclusively, solid waste service delivery is enhanced with the City's position to encourage street connectivity.

**Public Involvement Procedure:**

When, during the rezoning stage, the initial analysis by the City of Greensboro staff indicates a proposed street connection is warranted (based on a review of criteria 1-9) the Zoning Commission meeting will serve as the public hearing for public involvement and information gathering.

When, during the plan review stage, the initial analysis by City of Greensboro staff indicated a proposed street connection is warranted (based on a review of criteria 1-9) and prior to City of Greensboro staff making a recommendation to the Technical Review Committee, an information gathering meeting will be held with adjacent property owners to seek additional information related to criteria 1-9. (Greensboro Department of Transportation to coordinate public involvement)

Should a proposed rezoning or an appeal of a TRC plat denial be made, this form (and attached map showing all proposed street connection locations and public involvement summary) will be provided to the Planning Board and City Council for their use and consideration in the appeals process.

**Staff Recommendation:**

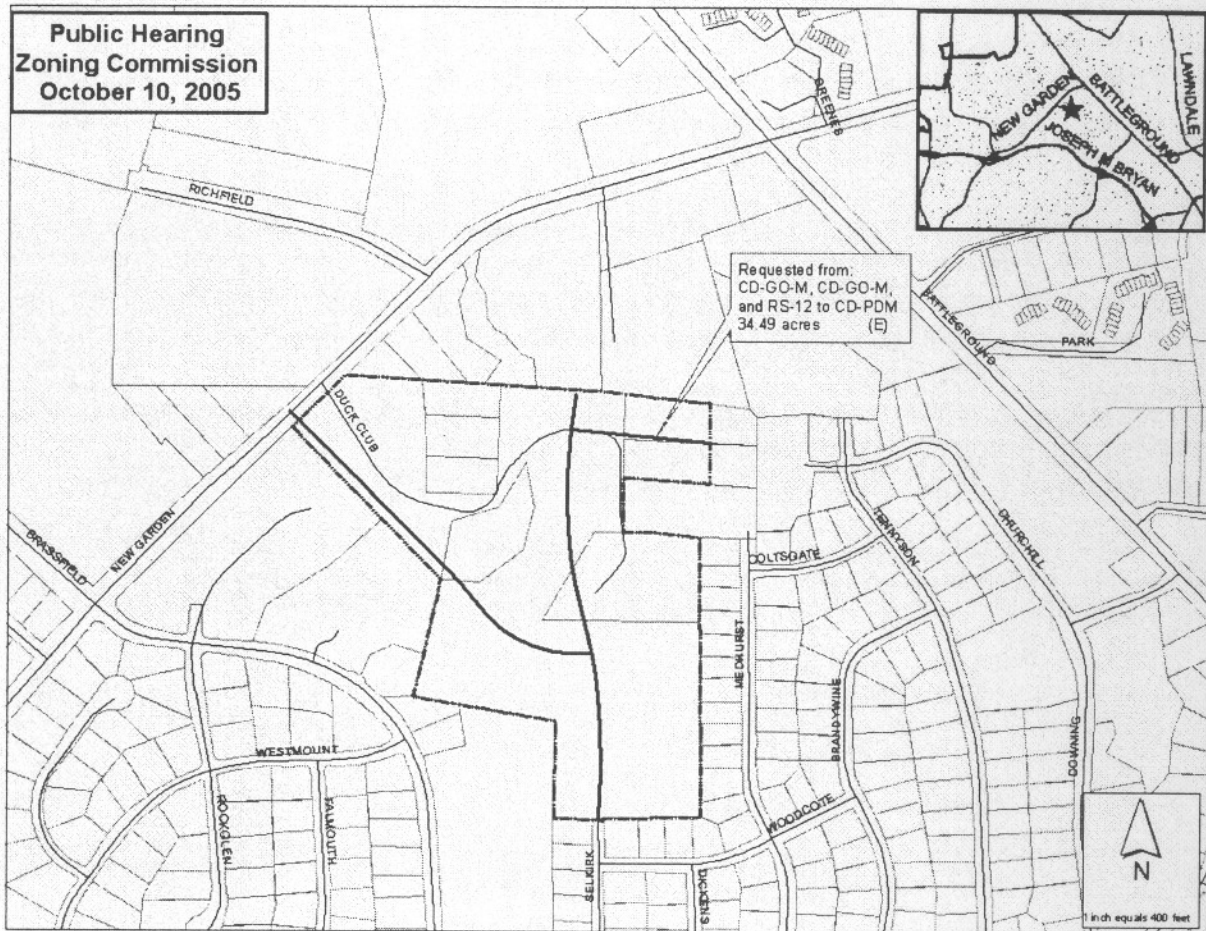
Based on the technical findings of this report, staff recommends the extension/connection of Selkirk Drive. The final alignment of this roadway should be designed to minimize impacts to streams and wetlands.

Date: 10-4-05

Name: Carrie S. Reeves, PE



Public Hearing  
Zoning Commission  
October 10, 2005



Turn Around Evaluation:

Street: Selkirk Drive  
Limits: Woodcote Drive north to property line  
Length: Approximately 150'

1. How important is a permanent turn around at the end of Selkirk Drive in order for your Department to provide services in a safe and efficient manner? (Please Circle)
  - a. **Critical**
  - b. Very Important
  - c. Somewhat Important
  - d. Not Important at all
2. Does your Department request that a permanent turn around be installed at the end of Selkirk Drive? (Please Circle)
  - a. **Yes** (If yes please list reasons why your department requests a turn around, please include any departmental standards and policies)
  - b. No

Planning Department: The type of turn around will depend on how the abutting property is developed: 1) If single family lots are to be created on the end of Selkirk it should be terminated in a cul-de-sac. 2) If the newly created lots will have frontage and access from the new streets created within the proposed subdivision we defer the decision to the Departments which provide service to the lots on that segment of Selkirk.

Environmental Services: If no through street is developed a permanent structure will be required. Solid waste does not have an alternative to backing at least 75 feet or more. Most services are provided with a single operated vehicle. Blind spots are associated with these vehicles.

Fire Department: Fire code requires any street longer than 150' to have a permanent turn around. The Greensboro Fire Department requires a minimum Cul-De-Sac diameter of 65', or a T/L – shaped turn around w/ the minimum branch length of 50'.

3. If your Department requests a permanent turn around, what type of turn-a-round do you request? (Please circle desired type of turn around)
  - a. **Cul-De-Sac (COG Std. 503)**
  - b. **Branch "L" Permanent (COG Std. 502)**
  - c. **"T"-Type Permanent (COG Std. 502)**
  - d. Temporary (COG Std. 502)
  - e. Other

Environmental Services: A cul-de-sac is the preference for the operations of Environmental Services' vehicles. However, a "t" could be managed if adequate space and visibility is provided.

Fire Department: Fire has no preference other than one of the above highlighted permanent turn arounds be installed at the end of streets.

4. Are you aware of any constraints that would prohibit the construction of a turnaround at this location?

a. No

b. Yes (Please list constraints below)

## **EXCERPT OF 11/15/05 CITY COUNCIL DRAFT MINUTES**

Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning from Conditional District-General Office Moderate Intensity, Conditional District – General Office Moderate Intensity, and RS-12 Residential Single Family to Conditional District- Planned Unit Development for property located on the southeast side of New Garden Road between Brassfield Road and Medhurst Drive. He stated this matter was being heard on appeal filed by Andrew M. Richelson after receiving a 7 to 1 vote at the Zoning Commission meeting to recommend approval of the rezoning.

Mr. Hails presented a map and slides to describe the subject property and surrounding area and advised that Selkirk Road was the subject of much discussion on this case. He stated the Zoning Commission had voted to recommend approval of the proposed rezoning and clarified in their vote they were not making a decision on the connection to adjoining properties.

Mr. Hails noted that there were a large number of conditions attached to the rezoning request, stated there were three sections of the rezoning for single family, multi family, and commercial general business, and reviewed some of the conditions pertaining to these designations and to stub street connectivity.

The City Attorney explained the Council's responsibility in terms of the relationship between the Street Connectivity Policy and zoning requirements in this case. She noted that Council had the authority to change the Street Connectivity Policy; stated the Policy should be followed to ensure equal treatment of citizens of equal categories so as not to have an equal protection claim; advised Council that it was in their best interest to mainly consider the zoning issues; explained that because congestion and traffic was a part of the zoning issue, connectivity would be a part of it, but not the major part; cited several examples of purposes for evaluating zoning such as area population, environmental concerns for air pollution of that, etc. The City Attorney advised Council to look at all of the zoning issues; spoke to the piece of the zoning that involved the Connectivity Policy, and emphasized that if this case met the Policy, it should be followed unless Council was willing to change the Policy for everyone.

Councilmember Phillips asked if procedures existed by which the zoning request could be approved and the street connection denied if this was the will of Council.

The City Attorney stated the rezoning, not the Connectivity Policy, was before Council; connectivity could be a part of that as it was relevant to traffic congestion; this was a conditional use case in which the applicant was responsible for setting conditions, Council could not request and approve a change in the connectivity condition because it would conflict with their Connectivity Policy and constitute contract zoning; and that for connectivity Council could consider the zoning separately. She advised that Council could consider revising the Connectivity Policy or the plat modification could be reviewed then submitted to the Planning Board if to see if equal or better performance could be met.

Councilmember Gatten expressed her opinion that, as a condition of the proposal offered by the developer, the street connectivity condition was material to the discussion of the zoning. She stated that if Council did not believe the connectivity condition was in the best interest of the existing neighborhood, she believed they should reject the zoning. The City Attorney confirmed that the connectivity was a condition of the zoning that could not be changed by Council and that if Council found this condition unacceptable, that would provide the basis for voting against the zoning.

After Councilmember Perkins questioned whether the elimination of the connectivity condition would be less or more restrictive, he noted the Technical Review Committee and the Transportation Department would determine the connectivity issue based on policy.

The City Attorney advised that a legal problem existed in determining whether the connectivity was more or less restrictive and that if the developer amended the conditions to do away with the connectivity, it would be less restrictive than the City's Policy, but could be argued as more restrictive on the basis of denying access.

In response to questions, the City Attorney explained that in accordance with the factors set out in the Connectivity Policy, the Transportation Department found this situation met the Policy and stated that she did not have knowledge of Transportation staff's communications with the developer.



## **EXCERPT OF 11/15/05 CITY COUNCIL DRAFT MINUTES**

Councilmember Johnson requested exploration of structuring an alternative rule or policy that could be used in similar future zoning cases. The City Attorney stated that most cities have a strict and clear cut connectivity policy. She offered that staff could review the possibility of adding language to the Policy to develop a middle ground based on rational factors, but emphasized that this would be very difficult to accomplish because of liability issues associated with emergency response and street connectivity. The City Attorney advised Council to follow the Policy to avoid legal conflicts and recommended the Policy be revisited.

Councilmember Perkins spoke to Council's role in the lengthy development process of the Street Connectivity Policy and suggested that any changes to the Policy should be considered by the future Council following upcoming elections.

Mayor Holliday asked if anyone present wished to speak in favor of the zoning.

Randy Dixon, representative of the proponents, with offices located at 1205 West Bessemer Avenue, Suite 218, spoke to his involvement with City staff in terms of the development of the zoning request and provided detailed reasons the proposal would incorporate goals of the Generalized Future Land Use Map for this area while maintaining low density residential classification. He reviewed in detail information he presented to Council that included meetings with neighborhood residents, development requirements, and road systems in the area; shared his opinion that the proposal adhered to the Street Connectivity Policy; and stated that it was his understanding he could not present a land development plan contrary to the Policy.

Jim Westmoreland, Transportation Department Director, confirmed that if the proposed street connection was not made, the plan would violate the Connectivity Policy.

The Mayor asked if anyone present wished to speak in opposition to the proposed zoning.

The following speakers spoke in opposition to the proposal:

Andrew Richelson, residing at 1900 Medhurst Drive, stated neighbors opposing the request were present in the Chamber and presented to Council signatures of neighbors opposed to the proposal. He presented a map of the neighborhood; provided a detailed explanation as to why he believed the proposed street connection would create cut through traffic hazards in the neighborhood; and questioned the need for the street connection to increase emergency response time over streets possessing traffic signal emergency control capabilities. Mr. Richelson spoke to additional details of the Development Ordinance and the Street Connectivity Policy with respect to street lengths, numbers of blocks, numbers of turns, traffic volume, etc.; expressed concern with regard to potential negative impacts from disturbing natural areas and a site with historical artifacts present; and requested Council to vote on the proposed zoning ordinance at this time.

Anne Parlier, residing at 3412 Gloucester Lane, requested preservation of the integrity and safety of the neighborhood. She provided examples of other developments in Greensboro that purportedly were not connected with stub streets; stated she opposed connection between two commercial areas that could allow vehicles to cut through neighborhoods to avoid busy intersections; and spoke to her desire to preserve the character of her 40 year old neighborhood.

Corita Balance, residing at 3801 Derbyshire Drive, expressed concerns with respect to potential negative impact on health resulting from pollution, construction noise and traffic and offered personal opinions with respect to reasons to leave the neighborhood in its current condition as a cul-de-sac community. She requested Council to deny the request based on the street connectivity condition attached to the request.

The following speakers spoke in rebuttal in favor of the proposed zoning:

Mr. Dixon spoke to his impressions of the impact of the plan on the neighborhood in terms of cut through activity and stated he had worked with City staff to develop a good plan that appeared to present negative issues to the neighbors. He stated the proposed extension of the road was to satisfy zoning requirements and was not the developer's goal.

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## **EXCERPT OF 11/15/05 CITY COUNCIL DRAFT MINUTES**

During discussion, Councilmember Perkins expressed his opinion that Council should have the authority to remove the connectivity condition because it was a requirement of the City's ordinance. The City Attorney stated that this would violate the Council's Policy and risk legal problems.

The following speakers spoke in rebuttal in opposition to the proposed zoning:

Scott Leary, residing at 2002 Tennyson Drive, requested Council to leave the neighborhood connectivity as it existed and to deny the request.

Robert Welk, residing at 2023 Meadows Drive, used a map to propose his suggestions for alternative connectivity options in the neighborhood that, in his opinion, would not create a negative impact from cut through vehicle traffic.

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Mayor Holliday declared a recess at 10:04 p.m.

Council reconvened with all members present at 10:24 p.m.

.....

The City Attorney recommended that Council continue this matter to January of 2006. She stated that she and the Planning Director would look at the Connectivity Policy and revisions to North Carolina state law that were anticipated and could potentially resolve these issues.

Councilmember Gatten moved that this matter be continued to the second meeting in January of 2006. Discussion was held with respect to the impact of delay on the developer. The motion died for lack of a second.

The City Attorney suggested a summary of the public hearing be prepared for review for the continuation; Councilmember Phillips requested that a summary and minutes of this hearing be provided and that new members of Council view the recorded public hearing.

Councilmember Vaughan moved that the public hearing be continued to January 3, 2006. The motion was seconded by Councilmember Johnson. No action was taken.

Councilmember Gatten noted the meeting schedule for 2006 was not set and made a substitute motion, that the public hearing be continued to the first meeting in January of 2006. The substitute motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of Council. The zoning request was continued to the first meeting in January 2006 without further advertising.

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City of Greensboro  
**City Council**  
Agenda Item

**TITLE: Connections 2025 Comprehensive Plan Generalized Future Land Use Map Amendment**

Department:	Planning	Current Date:	December 2, 2005
Contact 1:	Heidi Galanti	Public Hearing:	December 20, 2005
Phone:	574-3576	Advertising Date:	December 1, 2005 and December 8, 2005
Contact 2:	Bill Ruska	Advertised By:	City Clerk
Phone:	373-2748	Authorized Signature:	<i>RW Hail</i>

Attachments:  
Attachment A: Map of the Comprehensive Plan amendment  
Attachment B: A copy of the staff report for the Comprehensive Plan amendment and rezoning request  
The minutes and staff report are provided in this packet for the Comprehensive Plan amendment CP-05-17 and the rezoning request PL(Z) 05-54.

**PURPOSE:**

Michael S. Fox, applied for an amendment to the *Connections 2025 Comprehensive Plan* Generalized Future Land Use Map (Figure 4-2) from the Low Residential to the High Residential land use classification for a portion of the property located on the north side of Freeman Mill Road between Willomore Street and Glenwood Avenue.

The City Council will conduct a public hearing to receive public comment and consider action on this amendment.

**BACKGROUND:**

This request for a Connections 2025 Generalized Future Land Use Map amendment is directly related to a rezoning request for this same area. See attachments for more information.

**BUDGET IMPACT:**

N/A

**RECOMMENDATION / ACTION REQUESTED:**

The Planning Department recommends approval of this ordinance.

Agenda Item: 7

**PUBLIC HEARING  
CITY COUNCIL  
DECEMBER 20, 2005**





**Attachment B  
(CP-05-17)**

**City of Greensboro Planning Department  
Zoning Staff Report and  
Plan Amendment Evaluation  
November 14, 2005 Public Hearing (Zoning Commission)  
December 20, 2005 Public Hearing (City Council)**

*The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.*

**Item:** K  
**Location:** 2212 Freeman Mill Road (North side of Freeman Mill Road between Willomore Street and Glenwood Avenue)

**Applicant:** Jerry L. Tucker and Merle Stack  
**Owner:** Jerry L. Tucker and Merle Stack

**GFLUM**

**From:** Low Residential  
**To:** High Residential

**Zoning**

**From:** RS-7  
**To:** CD-RM-18

- Conditions:**
- 1) The use shall be limited to multifamily dwellings.
  - 2) The height of the buildings shall be limited to two stories.
  - 3) The exterior lighting shall be shielded such that it does not generate glare or otherwise allow the light to be directly viewed from off the property.
  - 4) The maximum number of apartment units shall be 56.
  - 5) Along the western boundary of the property the planting rate shall be 4 canopy trees per 100 linear feet, 6 understory trees per 100 linear feet and 34 shrubs per 100 linear feet.
  - 6) Security fencing shall be installed along the northern boundary of the property.

SITE INFORMATION	
Maximum Developable Units	56
Net Density	N/A
Existing Land Use	Undeveloped
Acreage	4.565
Physical Characteristics	<i>Topography:</i> Downward southerly slope <i>Vegetation:</i> Wooded <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Low Residential
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
North	Single Family	RS-7
South	Freeman Mill Road	RS-7
East	Single Family	RS-7
West	Single Family	RS-7

ZONING HISTORY		
Case #	Year	Request Summary
		This property has been zoned RS-7 since July 1, 1992. Prior to the implementation of the UDO, it was zoned Residential 75S.

DIFFERENCES BETWEEN RS-7 (EXISTING) AND CD-RM-18 (PROPOSED) ZONING DISTRICTS	
<b>RS-7:</b> Primarily intended to accommodate high density single family detached dwellings in developments where public water and sewer service is required. The overall gross density will typically be 5.0 units per acre or less.	
<b>CD-RM-18:</b> Primarily intended to accommodate multifamily uses at a density of 18.0 units per acre or less. See Conditions for use limitations and other restrictions.	

TRANSPORTATION	
Street Classification	Freeman Mill Road – Major Thoroughfare.
Site Access	One proposed to Freeman Mill Road. There is a median at this location therefore this will be a right in right out only driveway. This driveway will be required to meet the minimum horizontal and vertical sight distance requirements as specified in the City of Greensboro Driveway Manual at the plan review stage.
Traffic Counts	Freeman Mill Road ADT = 19,413.
Trip Generation	N/A.
Sidewalks	Requirement per Development Ordinance. A 6' sidewalk with a 4' grass strip is required along both sides of thoroughfares. A 5' sidewalk with a 3' grass strip is required along one side of all other public streets.
Transit	Yes.
Traffic Impact Study	Not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

ENVIRONMENTAL REVIEW	
Water Supply Watershed	N/A (North Buffalo 2)
Floodplains	N/A
Streams	Perennial (USGS Blue Line) on property requires a 50' buffer measured from top of steep slope, edge of contiguous wetland, or top of bank, whichever produces greatest buffer. The first 15' must remain undisturbed and the next 35' has a maximum built upon limit of 50% with no occupied structure allowed. Other streams have not been identified at this time for this site.
Other	Possibility of wetlands on site.

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
North	Type C Yard - 20' avg. width; 2 canopy/100'; 3 understory/100', 17 shrubs/100'
South	Street Yard - 8' avg. width; 2 canopy/100', 4 understory/100', 17 shrubs/100'
East	Type C Yard - 20' avg. width; 2 canopy/100'; 3 understory/100', 17 shrubs/100'
West	Type C Yard - 20' avg. width; 2 canopy/100'; 3 understory/100', 17 shrubs/100'

## CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

### Connections 2025 Written Policies:

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods

POLICY4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas

Housing and Neighborhoods Goal: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

POLICY 6A.2: Promote mixed-income neighborhoods.

POLICY 6A.4 Implement measures to **protect Greensboro's neighborhoods from potential negative impacts** of development, redevelopment, and/or public projects that are inconsistent with the neighborhoods' livability, architectural, or historical character, and reinvestment potential.

POLICY 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

**Connections 2025 Map Policies:**

*The area requested for rezoning lies within the following map classifications:*

Existing:

**Low Residential (3 to 5 dwelling units per gross acre)**

This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

Proposed:

**High Residential (over 12 dwelling units per gross acre)** - This category provides for high-density apartment dwellings, condominiums, life care, and similar housing types. Creating opportunities for this type of housing will become increasingly important to respond to demographic shifts and demand for affordable housing, and it is ideally suited near major activity and employment centers and in areas suitable for future transit service. Within this district, office buildings may also be accommodated.

COMPREHENSIVE PLAN AMENDMENT HISTORY		
Case #	Date	Request Summary
CP-04-05	12/07/04	An area of approximately 2.45 acres on Lovett Street was amended from Low Residential to Mixed Use Commercial.
CP-04-07	2/15/05	An area of approximately 16.36 acres on Freeman Mill Road between Willomore Street and Coliseum Boulevard was amended from Low Residential to Mixed Use Commercial.

**COMPREHENSIVE PLAN ANALYSIS**

**Need for the Proposed Change:** This case involves a change from Low Residential (3-5 dwelling units per acre) to High Residential (over 12 dwelling units per acre). The proposed density of this site will be approximately 18 dwelling units per acre.



The request is located on the west side of Freeman Mill Road between Willomore Street and Glenwood Avenue. Freeman Mill Road is designated as a major thoroughfare. Freeman Mill Road is designated as a proposed route for the Bus Rapid Transit (BRT) and there is a proposed BRT station at the intersection of Freeman Mill Road and Coliseum Boulevard.

It meets Connections 2025 policies of promoting mixed income neighborhoods, promoting compact development, and promoting the diversification of new housing stock to meet the needs for suitable, affordable housing. However, there is a question about whether or not this proposed development will be compatible with its surroundings. The uses to the north, east and west of this site are single-family detached homes. The proposal is for multifamily dwellings that will be limited to two stories in height. Due to the topography and natural features on the site, the buildings will be built along the western property line. Staff has discussed, with the applicant, the possibility of increasing the landscape buffer (width and/or number of plantings) along the western line and reducing the density to try and make the development more compatible with the surrounding neighborhood. The applicant's attorney has indicated that added conditions would reduce the density to approximately 12 units per acre and would double the planting rate in the buffer along the western property line (see Staff Comments section).

**Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service, traffic counts, planned road improvements, transit, accidents statistics, and environmental constraints such as; location within a Water Supply Watershed, floodplain, streams):** None

**Implications, if any, the Amendment may have for Other Parts of the Plan:** This amendment may encourage other similar amendments in the vicinity as we have had a couple recent amendments in this area already.

**Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3):** None

## COMPREHENSIVE PLAN MONITORING COMMENTS

The Monitoring Committee met on November 7, 2005, and made the following comments concerning this request:

- Don't recommend changing the Plan for this;
- Appears to be wedging an incompatible use in between single family residential; and
- Does not seem to support the Comprehensive Plan policy that calls for the protection of existing neighborhoods.

## CONFORMITY WITH OTHER PLANS

*The following aspects of relevant plans may be applicable in this case:*

**City Plans:** The Coliseum Boulevard/Freeman Mill Road Corridor Plan had no specific recommendation for this immediate area with the exception that there should be zero tolerance for additional commercial zoning in this section of the corridor.

Other Plans: N/A

### STAFF COMMENTS

**Planning:** Except for the area at the intersection of Coliseum Boulevard and Freeman Mill Road, the zoning pattern of this area has remained relatively stable over the years.

This property has been vacant for many years, presumably due to its irregular shape, the stream which bisects the property and associated steep topography which, taken together, present difficulties for development of it. While its subdivision into single family lots may be preferable, such a land use may not be practical or financially feasible.

An infill type of multifamily development may be the most realistic use for this property. In this case, greater buffers and a lower density would help contribute to its compatibility with adjacent single family residences.

The applicant has submitted the following additional conditions which will be presented to the Zoning Commission for consideration at the public hearing:

3. The maximum number of apartment units shall be 56.
4. Along the western boundary of the property, the planting rate shall be 4 canopy trees per 100 linear feet, 6 understory trees per 100 linear feet and 34 shrubs per 100 linear feet.

**GDOT:** No additional comments.

**Water Resources:** State and Army Corps will have to be contacted for appropriate permits for any wetlands disturbance and/or stream crossing/disturbance. Drainage channels carrying public water require appropriate drainage, maintenance, utility easement.

### STAFF RECOMMENDATION

Based on all the information contained in this report, the Planning Department recommends approval of the Comprehensive Plan amendment to the High Residential land use classification and approval of the zoning to Conditional District-RM-18 primarily due to:

- It supports Comprehensive Plan policies that call for promoting mixed income neighborhoods, promoting compact development, and promoting the diversification of new housing stock to meet the needs for suitable, affordable housing;
- It is located on a Major Thoroughfare served by future bus rapid transit; and
- The addition of zoning conditions requiring greater buffers and a lower density will help contribute to its compatibility with adjacent single family residences.



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Rezoning of Property Located on the North Side of Freeman Mill Road Between Willomore Street and Glenwood Avenue

Department:	Planning Department	Current Date:	December 7, 2005
Contact 1:	Richard Hails	Public Hearing:	December 20, 2005
Phone:	373-2922	Advertising Date:	December 1 and 8, 2005
Contact 2:	Bill Ruska	Advertised By:	City Clerk
Phone:	373-2748	Authorized Signature:	<i>RW Hails</i>
Attachments:	Attachment A: Vicinity Map (PL(Z) 05-54) Attachment B: Minutes of November 14, 2005 Zoning Commission Meeting Attachment C: Zoning Staff Report ( <b>Attached to Comprehensive Plan Amendment CP-05-17 Agenda Item</b> )		

**PURPOSE:**

Jerry L. Tucker and Merle Stack applied for rezoning from RS-7 Residential Single Family to Conditional District – RM-18 Residential Multifamily for a portion of the property located on the north side of Freeman Mill Road between Willomore Street and Glenwood Avenue. The City Council conducted a public hearing on December 20, 2005 and continued the matter to the first Council meeting in January. At the start of the hearing, the applicant made several modifications to the conditions on the request (revised conditions are shown below). There was significant opposition to the request, and there were a number of additional modifications to the conditions that were suggested, without the applicant agreeing at the hearing to additional changes. If the applicant were to modify the conditions at the January 10 meeting to reduce the limitations on the site, those changes would have to be readvertised and a later public hearing set to consider them.

It should also be noted that Council Member Gatten on December 20 suggested that the accompanying Comp Plan Generalized Future Land Use Map amendment request from Low Residential to High Residential be modified to a Moderate Residential request. Staff has verified that this modification fits with Plan amendment guidelines and is appropriate for consideration.

**BACKGROUND:**

The Zoning Commission voted 5 to 2 to recommend approval of the proposed rezoning. There was one speaker in favor of and 4 speakers in opposition to this proposal (see Attachment B: Minutes of November 14, 2005 Zoning Commission Meeting).

This Conditional District – RM-18 rezoning application contains the following conditions (revised, 12/20/05):

- 1) The height of the buildings shall be limited to two stories.
- 2) The exterior lighting shall be shielded such that it does not generate glare or otherwise allow the light to be directly viewed from off the property.
- 3) Along the western boundary of the property the planting rate shall be 4 canopy trees per 100 linear feet, 6 understory trees per 100 linear feet and 34 shrubs per 100 linear feet.
- 4) Security fencing shall be installed along the northern boundary of the property.
- 5) Security fencing shall be installed along the western boundary of the property.
- 6) The use shall be limited to a maximum of fifty six (56) condominiums or town homes designed for sale.

A vicinity map of the proposed rezoning is attached and a copy of the Staff Report is attached to the Agenda Item for Comprehensive Plan Amendment CP-05-17.

**RECOMMENDATION / ACTION REQUESTED:**

The Planning Department recommends approval of the ordinance.



PUBLIC HEARING  
CITY COUNCIL  
DECEMBER 20, 2005



(PL(Z)05-54

## **Attachment B**

### **Minutes of November 14, 2005 Zoning Commission Meeting (PL(Z) 05-54)**

Mr. Ruska presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Michael Fox, Esq., 228 West Market Street, said he represents the applicant, as well as the developer of this property, Eddie Green, who was also present. He presented a site plan for illustrative purposes. The only entrance is to be on Freeman Mill Road. There are topographical challenges for this property. They wish to add three new conditions for this request:

4) That the maximum number of apartment units shall be 56. 5) Along the western boundary of the property (the Willomore Street side) the planting rate shall be four canopy trees per 100 linear feet, six understory trees per 100 linear feet and 34 shrubs per 100 linear feet. 6) Security fencing shall be installed along the northern boundary of the property.

Mr. Schneider moved that the Commission accept Conditions 4 through 6 for this application, seconded by Mr. Gilmer. The Commission voted 7-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Miller, Schneider, Spangler. Nays: None.)

Mr. Fox briefly discussed this area and the changes that have occurred. The Gateridge neighborhood is to the south and east of Freeman Mill Road and the Glenwood neighborhood is to the west and north of Freeman Mill Road there. So this property sits on the dividing line of both these neighborhoods. There is a mix of owner-occupied and rental homes in this area. The only access will be Freeman Mill Road so they will not be putting traffic on other streets in the neighborhood. They feel this is a nice infill project for this area. They had met with the Planning Department on this project. Staff was concerned about the density and the potential impact on the single family residences nearby. Some of the conditions address those concerns. The maximum 56 dwelling units effectively limits the density to 12.26 units per acre, which is very close to an RM-12 as opposed to an RM-18. The single-family residences that back up to this project will be buffered by double the plantings required. They have met with residents of both the neighborhoods adjoining this property and tried to address some of their concerns with the conditions added. He then presented a brief power point presentation.

Lawrence Thompson, 1629 Willomore Street, opposed the request. He presented a petition signed by neighbors in opposition to this request. Crime had increased in the area and he attributed this to the increasing number of rental units. He would prefer to see the property developed as owner-occupied dwelling units. He had his neighbors who were present and opposed this request to stand.

Johnny Edwards, 1641 Willomore Street, also opposed this request. He too was concerned about the increased crime, noise and traffic in their community. He felt these

apartments would be incompatible with the single family homes already in the neighborhood.

Mitsy Griffin, 914 Glenwood Avenue, was opposed to the request. She was president of the Greater Glenwood Neighborhood Association and she is representing them today. They request that this property remain zoned for single family units and as it is classified on the 2025 Comp Plan. City Council has already approved an additional 36 rental units on Aycock Street.

Linn Parrish, 400-C Fisher Park Circle, opposed this request. He was opposed to more rental property in the Glenwood area. He was not a property owner in Glenwood, but as a concerned citizen and former resident of Glenwood, he was so concerned that he created the Glenwood Neighborhood History Project in January of this year. There are a high number of people who now live outside the Glenwood neighborhood who are concerned about the high number of rental housing that is there.

In rebuttal for the applicant, Mr. Fox said they certainly understand from having met with the neighbors on more than one occasion that they have concerns. Change almost always brings concerns. They feel this project will be a nice compliment to this neighborhood. They feel the conditions placed on this project will minimize the impact of this project on the surrounding neighborhoods. The access to Freeman Mill will be a right in, right out access because of the median there.

In rebuttal for the opposition, Lawrence Thompson said this was a wooded area and the only thing that will be seen is the first unit. Since that is a private driveway, the police will not patrol down there. Most of the neighbors are concerned that this is going to be additional trouble, additional crime, the heavy buffering will be a convenient hiding place for anyone wanting to go on Willomore Street and break into homes. These rental apartments will not help the stability of this neighborhood.

Also in rebuttal for the opposition, Johnny Edwards said they have no assurance that the owner of these rental units will be local. When landlords live in California, then the properties are not kept up and are run down. This project will be in the heart of their community and they feel it will only harm their community.

Chair Wolf closed the public hearing.

Mr. Hails said this was a tough call case. We have an unused potential infill lot, low lying along a creek and yet on a tract that is very close to both low and moderate density single family homes in an established neighborhood. The GFLUM calls for low residential use in this area. There is a Comp Plan Amendment to high residential that will allow density above 12 units per acre, which is now what is proposed by the request. Other Comp Plan policies related to this are, on the one hand, protection of neighborhoods, which you have been hearing about. On the other hand, finding opportunities for reinvestment and infill in the areas and looking for mixed income and diverse housing as well. Staff looked at the different types of buffering that will be in place. Staff recommends approval of the request.

Mr. Gilmer moved the ordinance, seconded by Mr. Matheny.

Mr. Gilmer said originally he was inclined to oppose this request because it seemed to

go down through a neighborhood. But given the conditions put on the project, the right in, right out access, and if it could have been developed as single family homes and would have made sense financially, he thought it would have been so developed. After listening to the evidence and facts, he will support the request.

In response to a question from Mr. Schneider, Mr. Hails said the suggestion of the security fence came from the applicant's discussion with the neighborhood. Staff was focusing on visually obscuring the impact of the higher density on the lower density homes.

Ms. Miller said several residents had been there for years and they know about what they want in their back yards. They know what kind of crime rate is going on. They know what is feasible for them; they have to live there. Freeman Mill and Glenwood are fragile areas so she thought it was important for the stability of that area to conform to what is there. She was glad to see the neighborhood was not closed to change because change is going to come. She thought a quality developer would be willing to take into consideration some things. She felt she could not support it the way this was outlined right now.

Mr. Matheny said in his thoughts one of the most important things about changing a neighborhood or a neighborhood changing is a neighborhood that cares. He appreciated that and did not take it lightly. He was going to support this effort based on the plan that they have presented, much like other members of the Commission apparently. The best thing about the neighborhood was the people and he encouraged them to continue to show what you are thinking, how you are thinking and coming in front of this Commission or City Council. He would be supporting this.

Chair Wolf called the question. The Commission voted 5-2 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Spangler. Nays: Miller, Schneider.)





City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Ordinance annexing territory to the corporate limits – 0.325 acres, being rear portion of 1149 Pleasant Ridge Road

Department: Planning	Current Date: 12/28/05
Contact 1: Alec MacIntosh	Public Hearing: Yes, at 1/10/06 Council
Phone: 373-2747	Advertising Date:
Contact 2: Dick Hails	Advertised By:
Phone: 373-2922	Authorized Signature: <i>Alexander G. MacIntosh</i>
Attachments: Attachment A: "PL(P)05-48" map	

**PURPOSE:**

Emad, Hani, and Niveen Kattan have petitioned the City for annexation of their property located at 1149 Pleasant Ridge Road. The City Council is required to hold a public hearing on this petition before considering its approval.

**BACKGROUND:**

This annexation petition covers the back portion of this property; the front part is already inside the primary city limits and contains a house converted into a contractor's office. It is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan.

There is a City water line in the street at the front of the property. There is no City sewer line to the property.

Fire service can be provided to this property with low difficulty. The Police Department estimates negligible impact. Other City services are already provided to the front part of this property and can easily be provided to cover the back part.

**BUDGET IMPACT:**

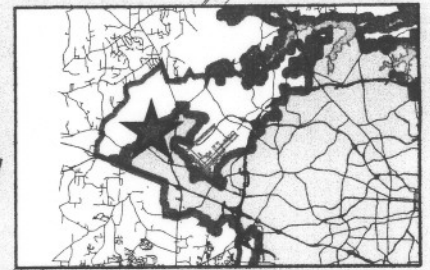
Negligible.

**RECOMMENDATION/ACTION REQUESTED:**

The Technical Review Committee (TRC) recommended this annexation to the Planning Board and to City Council.

Approval of annexation of this property was recommended to City Council by the Planning Board at its November meeting on a vote of 6-0 (Ayes: Downs, Bryson, Rhodes, Marks, Koonce, Fox).

CITY COUNCIL  
January 10, 2006



PROPOSED ANNEXATION  
Rear Portion 1149 Pleasant Ridge Rd  
Tax Map: ACL 94-6997-1095-21  
.325 Acres

PL(P)05-48

PLEASANT RIDGE RD



1"=200'  
SHEET  
522



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Establishment of Original Zoning and Rezoning of Property Located on the West Side of Pleasant Ridge Road North of West Market Street

Department:	Planning Department	Current Date:	December 28, 2005
Contact 1:	Richard Hails	Public Hearing:	January 10, 2006
Phone:	373-2922	Advertising Date:	December 22 and 29, 2005
Contact 2:	Bill Ruska	Advertised By:	City Clerk
Phone:	373-2748	Authorized Signature:	<i>RW Hails</i>
Attachments:	Attachment A: Vicinity Map (PL(Z) 06-01) Attachment B: Minutes of December 12, 2005 Zoning Commission Meeting Attachment C: Zoning Staff Report		

**PURPOSE:**

Emad Kattan applied for the establishment of original zoning from County Zoning Agricultural and rezoning from City Zoning RS-40 Residential Single Family to City Zoning Conditional District – Light Industrial for a portion of the property located on the west side of Pleasant Ridge Road north of West Market Street. The Zoning Commission considered this application on December 12, 2005. The City Council will conduct a public hearing to consider this application.

**BACKGROUND:**

The Zoning Commission voted 9 to 0 to recommend approval of the proposed original zoning/rezoning request.

There was one speaker in favor of and no speakers in opposition to this proposal (see Attachment B: Minutes of December 12, 2005 Zoning Commission Meeting).

This Conditional District – Light Industrial original zoning/rezoning application contains the following conditions:

- 1) Uses: General contractors office and storage yard.
- 2) Building setbacks shall be a minimum of 50 feet from Pleasant Ridge Road.
- 3) Signage shall be as Corporate Park requirements.
- 4) A street planting yard of 15 feet minimum shall be provided along Pleasant Ridge Road.

A vicinity map of the proposed original zoning/rezoning is attached along with a copy of the Zoning Staff Report.

**RECOMMENDATION / ACTION REQUESTED:**

The Planning Department recommends approval of the ordinance.

**PUBLIC HEARING  
CITY COUNCIL  
JANUARY 10, 2006**

PI

REQUESTED ORIGINAL ZONING  
FROM COUNTY AG AND REZONING  
FROM CITY RS-40 TO CITY CD-LI  
1.13 ACRES (A)

PI

G

PI

CD-LI  
#2764

#2504-17

LI

CD-LI

CD-LI  
#2504-18

#2504-17

AG

AG

CITY LIMITS LINE

CD-CP  
#2797

#2896

CD-LI

CD-LI

RS-40

#2895

RS-40

#2700

CD-LI

CD-LI

RS-40

WATER/SEWER  
BOUNDARY

(PL(Z)06-01)



1"=500'  
SHEETS  
522,617



**Attachment B**  
**Minutes of December 12, 2005**  
**Zoning Commission Meeting**  
**(PL(Z) 06-01)**

Mr. Ruska presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Chair Wolf opened the public hearing.

Emad Kattan, 1112 Satinwood Drive, said he was one of the three owners of the subject property. He said the rezoning would allow them to use the property for a general contractor's office and storage yard.

There was no one present to speak in opposition to the request. Chair Wolf closed the public hearing.

Mr. Hails said this request is consistent with the Generalized Future Land Use Map (GFLUM), which designates this property as Industrial Corporate Park use. It is also consistent with other recently approved zoning changes in this area. Staff recommends approval of the request.

Mr. Gilmer moved the ordinance, seconded by Mr. Collins. The Commission voted unanimously 9-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Miller, Schneider, Shipman, Spangler, Wright. Nays: None.)

**Attachment C  
(PL(Z) 06-01)**

**City of Greensboro Planning Department  
Zoning Staff Report  
December 12, 2005 Public Hearing**

*The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.*

**Item:** A  
**Location:** 1149 Pleasant Ridge Road (West side of Pleasant Ridge Road north of West Market Street)

**Applicant:** Emad Kattan  
**Owner:** Emad Kattan, Hani Kattan & Niveen Kattan

**From:** County AG and City RS-40  
**To:** City CD-LI

**Conditions:** 1) Uses: General contractors office and storage yard.  
2) Building setbacks shall be a minimum of 50 feet from Pleasant Ridge Road.  
3) Signage shall be as Corporate Park requirements.  
4) A street planting yard of 15 feet minimum shall be provided along Pleasant Ridge Road.

SITE INFORMATION	
Maximum Developable Units	N/A
Net Density	N/A
Existing Land Use	Single Family
Acreage	1.13
Physical Characteristics	<i>Topography:</i> Generally flat <i>Vegetation:</i> Mature trees / grass <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Industrial/Corporate Park
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
North	Truck Parking	CD-LI
South	Undeveloped	PI
East	Rural Residential	RS-40
West	Undeveloped	CD-CP

ZONING HISTORY		
Case #	Year	Request Summary
		The portion of this property that is presently in the city limits has been zoned RS-40 since it was annexed and originally zoned in 1996.

DIFFERENCES BETWEEN AG & RS-40 (EXISTING) AND CD-LI (PROPOSED) ZONING DISTRICTS	
<p><b>AG:</b> Primarily intended to accommodate uses of an agricultural nature including farm residences and farm tenant housing. It also accommodates scattered nonfarm residences on large tracts of land. It is not intended for major residential subdivisions.</p> <p><b>RS-40:</b> Primarily intended to accommodate single family detached dwellings on large lots and is intended solely for properties having one or more of the following characteristics: (a) Lies within the 60 DNL noise contour; (b) Lies in a public water supply watershed and where an outfall to provide public sewer service is not available; or (c) Lies in a portion of a watershed critical area to which an outfall to provide sewer service has been made available pursuant to an agreement, approved by the City and by another governmental jurisdiction, designed to limit development density to approximately that obtainable prior to sewer service.</p> <p><b>CD-LI:</b> Primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities which in their normal operations have little or no adverse effect upon adjoining properties. See Conditions for use restrictions and other limitations.</p>	

TRANSPORTATION	
Street Classification	Pleasant Ridge Road – Major Thoroughfare.
Site Access	A maximum of one access point will be approved by GDOT.
Traffic Counts	Pleasant Ridge Road ADT = 7,235.
Trip Generation	N/A.
Sidewalks	Requirement per Development Ordinance. A 6' sidewalk w/ a 4' grass strip is required along both sides of thoroughfares. A 5' sidewalk w/ a 3' grass strip is required along all other streets.
Transit	No.
Traffic Impact Study	Not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

ENVIRONMENTAL REVIEW	
<b>Water Supply Watershed</b>	Yes, Site drains to Upper Randleman Lake WS IV
<b>Floodplains</b>	N/A
<b>Streams</b>	N/A
<b>Other</b>	Maximum built upon area is 70% per watershed density, all the proposed built upon area and the existing must drain to a State approved device (pond or similar)

LANDSCAPING REQUIREMENTS	
<b>Location</b>	<b>Required Planting Yard Type and Rate</b>
<i>North</i>	Type D Yard - 5' avg. width; 2 understory/100', 18 shrubs/100'
<i>South</i>	Type D Yard - 5' avg. width; 2 understory/100', 18 shrubs/100'
<i>East</i>	Street Yard – a minimum of 15'
<i>West</i>	Type D Yard - 5' avg. width; 2 understory/100', 18 shrubs/100'

## CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

### Connections 2025 Written Policies:

*Economic Development Goal:* Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

*POLICY 7C:* Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

### Connections 2025 Map Policies:

*The area requested for rezoning lies within the following map classifications:*

*Industrial/Corporate Park:* This designation applies to areas where present or anticipated uses include both light and heavy industrial uses, such as manufacturing, assembly, and fabrication; wholesaling and distribution; and corporate office and technology parks, which may be introduced to replace older heavy industrial uses. Although new residential development is discouraged in areas designated for this land use category, pre-existing residential uses may be present in or adjacent to these areas. As established industrial areas redevelop, such residential, institutional, or similar uses should be protected from adverse impacts (heavy truck traffic, significant outside storage, factors such as noise, dust, and glare, etc.) through performance-based standards, buffers, and proper separation from noxious uses.

*Tier One (Current Growth Area):* Where infrastructure systems are in place, can be economically provided and/or will be proactively extended and where continued annexation and consolidation of the City's development pattern shall be encouraged over the next ten years.

## CONFORMITY WITH OTHER PLANS

*The following aspects of relevant plans may be applicable in this case:*

**City Plans:** The Airport Area Plan designates the subject property as nonresidential. This land use category includes both light and heavy industrial uses, offices, warehouses, service-oriented commercial activities and other types of development that are noise sensitive.

**Other Plans:** N/A

### STAFF COMMENTS

**Planning:** More recent original zoning/rezoning activity in this area includes the following:

- 1) The Postal Service facility was rezoned to CD-LI (#2700) by the Zoning Commission in October 1998.
- 2) The back portion of the NC Baseball Academy received original zoning of CD-LI (#2764) in September 1999.
- 3) The property west of and adjacent to the subject property received original zoning of CD-CP (#2797) in February 2000. This property is limited to the manufacturing, assembly, and repair of medical and surgical instruments including wholesaling, storage, and distributing such items.
- 4) Two smaller tracts to the north were zoned CD-LI (#2895 and #2896) in January 2001. CD-LI (#2895) is limited to office/warehouse and general contractors office and storage yard. CD-LI (#2896) is limited to office/warehouse and courier service including solely the parking of associated trucks.

The easternmost 200 feet of this property is within the primary city limits. It has a house converted for use as a contractor's office.

This property is within the Tier 1 Growth Area on the Growth Strategy Map in Connections 2025.

There is no sewer line nearby but other city services are already provided to the front part of the property and can easily be provided to cover the back part.

This request is consistent with approved zoning changes that have occurred in this immediate area as mentioned above. It is compatible with the Generalized Future Land Use Map which classifies this property as Industrial/Corporate Park.

**GDOT:** No additional comments.

**Water Resources:** No additional comments.

### STAFF RECOMMENDATION

Based on all the information contained in this report, the Planning Department recommends approval.





City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Ordinance annexing territory to the corporate limits – 31.65 acres at 4636-4640 Long Valley Road

Department:	Planning	Current Date:	12/28/05
Contact 1:	Alec MacIntosh	Public Hearing:	Yes, at 1/10/06 Council
Phone:	373-2747	Advertising Date:	
Contact 2:	Dick Hails	Advertised By:	
Phone:	373-2922	Authorized Signature:	<i>Alexander G. MacIntosh</i>
Attachments:	Attachment A: "PL(P)05-50" map		

**PURPOSE:**

Combs, Inc. and Gary W. and Bobbie Jean Long have petitioned the City for annexation of their properties located at 4636-4640 Long Valley Road. The City Council is required to hold a public hearing on this petition before considering its approval.

**BACKGROUND:**

This annexation petition covers vacant property bounded on its north, east, and south sides by the primary city limits. It is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan. It is intended for single-family residential development.

There is a City water line in Long Valley Road, and a City sewer line runs through the northeast part of the property.

Fire service can be provided to this property with moderate difficulty. The Police Department estimates that service can be provided to this property with moderate difficulty and that at full buildout 0.27 additional officers will be needed to serve this area. Other City services would be provided in a manner similar to the Highland Grove subdivision to the north.

**BUDGET IMPACT:**

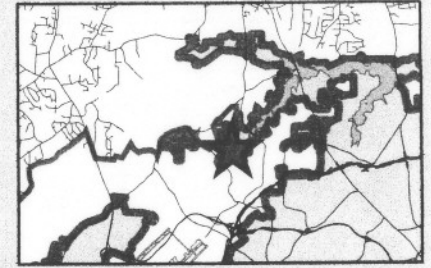
Initial service will be absorbed in the budget, but future service will have an incremental effect on future budgets.

**RECOMMENDATION/ACTION REQUESTED:**

The Technical Review Committee (TRC) recommended this annexation to the Planning Board and to City Council.

Approval this annexation was recommended to City Council by the Planning Board at its November meeting on a vote of 6-0 (Ayes: Downs, Bryson, Koonce, Fox, Marks, Rhodes).

CITY COUNCIL  
January 10, 2006



Summerfield

BROADLEAF RD

LONG VALLEY RD

PROPOSED ANNEXATION  
4636-4640 Long Valley Rd  
Tax Map: ACL 1-33-922-20 & Part 2  
31.65 Acres

PL(P)05-50

FLEMING RD  
CARDINAL CV  
BRASS EAGLE LOOP



1"=400'  
SHEET  
226



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Establishment of Original Zoning for Property Located on the East Side of Long Valley Road South of the Terminus of Broadleaf Road

Department:	Planning Department	Current Date:	December 28, 2005
Contact 1:	Richard Hails	Public Hearing:	January 10, 2006
Phone:	373-2922	Advertising Date:	December 22 and 29, 2005
Contact 2:	Bill Ruska	Advertised By:	City Clerk
Phone:	373-2748	Authorized Signature:	<i>RWHails</i>
Attachments: Attachment A: Vicinity Map (PL(Z) 06-02) Attachment B: Minutes of December 12, 2005 Zoning Commission Meeting Attachment C: Zoning Staff Report			

**PURPOSE:**

Combs, Inc. and Garry W. and Bobbie J. Long applied for the establishment of original zoning from County Zoning Agricultural to City Zoning RS-12 Residential Single Family for a portion of the property located on the east side of Long Valley Road south of the terminus of Broadleaf Road. The Zoning Commission considered this application on December 12, 2005. The City Council will conduct a public hearing to consider this application.

**BACKGROUND:**

The Zoning Commission voted 8 to 0 with one recusal to recommend the establishment of the proposed original zoning.

There was one speaker in favor of this proposal and one speaker with questions about this proposal at the December 12, 2005 meeting (see Attachment B: Minutes of December 12, 2005 Zoning Commission Meeting).

A vicinity map of the proposed original zoning is attached along with a copy of the Zoning Staff Report.

**RECOMMENDATION / ACTION REQUESTED:**

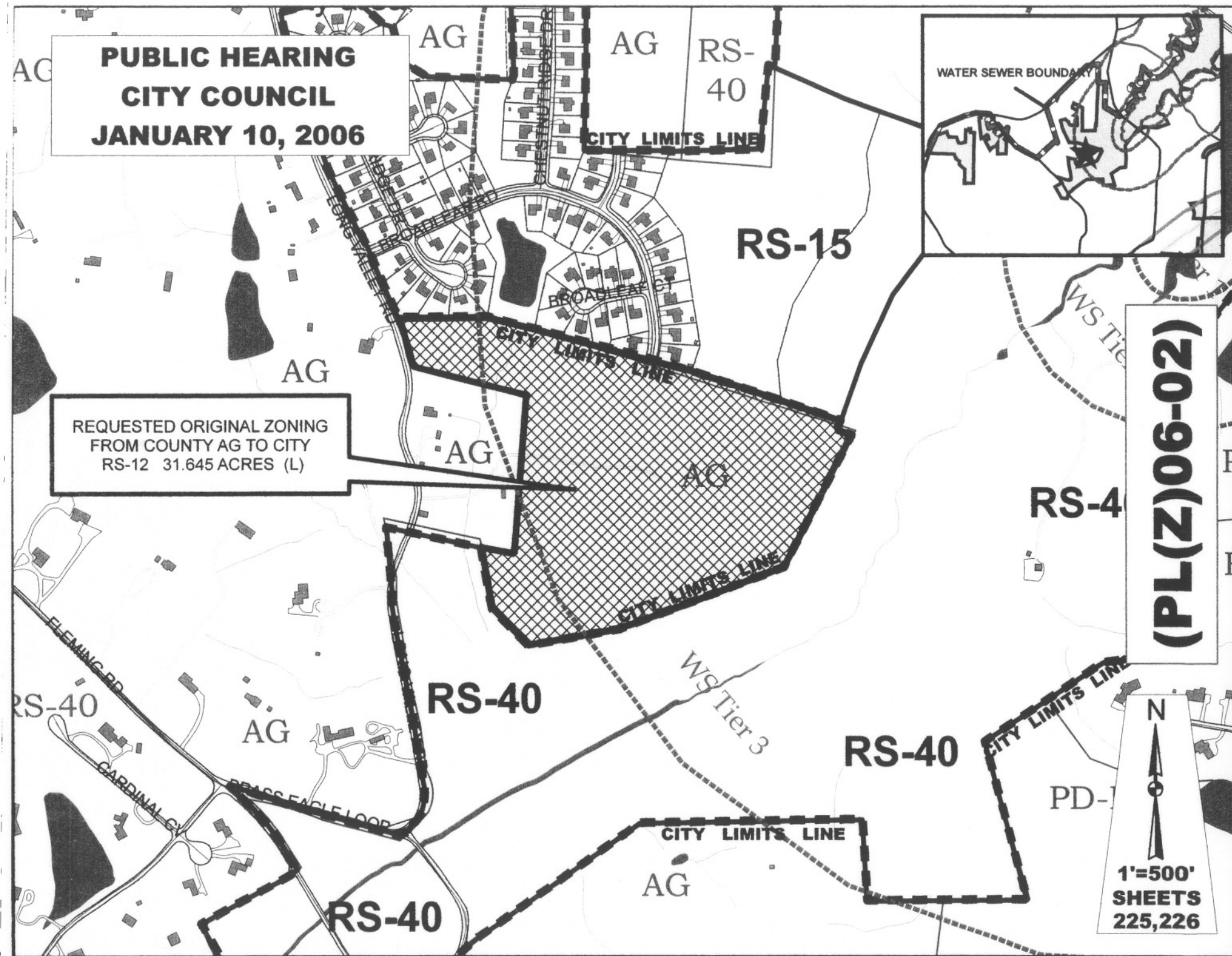
The Planning Department recommends approval of the ordinance.

**PUBLIC HEARING  
CITY COUNCIL  
JANUARY 10, 2006**

REQUESTED ORIGINAL ZONING  
FROM COUNTY AG TO CITY  
RS-12 31.645 ACRES (L)

**(PL(Z)06-02)**

N  
1"=500'  
SHEETS  
225,226





## **Attachment B**

### **Minutes of December 12, 2005 Zoning Commission Meeting (PL(Z) 06-02)**

Chair Wolf said he needed to recuse himself from discussion and voting on this item since he had done some legal work for one of the applicants.

Mr. Gilmer moved approval of the recusal of Chair Wolf, seconded by Ms. Shipman. The Commission voted 8-0-1 in favor of the motion. (Ayes: Collins, Gilmer, Matheny, Miller, Schneider, Shipman, Spangler, Wright. Nays: None. Abstain: Wolf.)

Mr. Ruska presented a map showing the subject property, as well as surrounding properties. He also presented slides of the subject property and noted issues in the staff report.

Vice Chair Collins opened the public hearing.

Derrick Allen, Esq., 230 North Elm Street, represented the applicants. This is coming from County AG to City RS-12. The RS-40 property to the east and south is owned by the City of Greensboro. The RS-15 is an existing subdivision to the north. They feel they are filling in a residential donut hole. In working with staff, they felt that the RS-12 is appropriate since it is the City's default residential zoning for bringing properties duly annexed into the City. Broadleaf Road stubs into this property and they plan to connect there. There are perennial streams and lakes that greatly restrict the amount of homes that go in there. They believe that low density, less than three dwelling units per acre, is appropriate for this zoning classification. They also believe that connecting to the City water/sewer as opposed to developing with water and septic is much more environmentally sound. The property is in Tier 1, which calls for immediate growth, and this is consistent with the Comp Plan.

David Loman, 5500 Broad Leaf Road, Summerfield, said he did not know if he were really speaking in opposition to the development. The only major concern he had is, as president of the Homeowners' Association for the Highland Grove Development, going to be the access into the property. At this point in time, they are looking at using the Highland Grove Development or Highland Grove Road as the main access point to bring in the smaller construction vehicles, small amounts of equipment, as well as the new residential traffic that will be coming into this section. Their concern is they actually have a back entrance that is not really acknowledged by the County or the City that comes off Broadleaf, but it adjoins Long Valley Road, which is a dirt road right there. Their concern is that construction traffic may tend to favor this entrance, which is going to kick up the dirt and dust much more, particularly during the summertime. The other concern they have is they have a lot of children in their development. Their main concern is really the extra traffic coming into the development. He wondered if Long Valley Road could be paved at the same time.



In rebuttal for the applicants, Mr. Allen said they did send out a pack of letters to those folks, along with the Homeowners' Association, requesting any input they had. They will continue their conversations with the Homeowners' Association.

Mr. Loman declined rebuttal time. Vice Chair Collins closed the public hearing.

Mr. Hails said the GFLUM shows low residential use in this area. It also shows the open areas around the reservoir in the northern part of the City. The proposed density conforms to low-density designation and certainly transition of this area is being seen as water/sewer is being extended into the subdivisions, making newer, higher suburban densities appropriate. A majority of the site is in a watershed Tier 3 area. There is a variety of development restrictions that help make sure that development will happen in an environmentally appropriate fashion, plus the City owns land around the reservoir which will help protect the reservoirs in this location. Staff recommends approval of the request.

Ms. Shipman moved the ordinance, seconded by Mr. Gilmer. The Commission voted 8-0-1 in favor of the motion. (Ayes: Collins, Gilmer, Matheny, Miller, Schneider, Shipman, Spangler, Wright. Nays: None. Abstain: Wolf.)

**Attachment C  
(PL(Z) 06-02)**

**City of Greensboro Planning Department  
Zoning Staff Report  
December 12, 2005 Public Hearing**

*The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.*

**Item:** L  
**Location:** East Side of Long Valley Road South of the Terminus of Broadleaf Road  
  
**Applicant:** Kevan R. Combs  
**Owner:** Combs, Inc. & Gary W. and Bobbie J. Long  
  
**From:** County AG  
**To:** City RS-12  
  
**Conditions:** N/A

SITE INFORMATION	
Maximum Developable Units	95
Net Density	3 units per acre
Existing Land Use	Undeveloped
Acreage	31.645
Physical Characteristics	<i>Topography:</i> Rolling <i>Vegetation:</i> Wooded <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Low Residential
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	Single Family Subdivision	RS-15
<i>South</i>	Undeveloped	RS-40
<i>East</i>	Undeveloped	RS-40
<i>West</i>	Rural Residential	AG

ZONING HISTORY		
Case #	Year	Request Summary
N/A		

DIFFERENCES BETWEEN AG (EXISTING) AND RS-12 (PROPOSED) ZONING DISTRICTS
<b>AG:</b> Primarily intended to accommodate uses of an agricultural nature including farm residences and farm tenant housing. It also accommodates scattered nonfarm residences on large tracts of land. It is not intended for major residential subdivisions.
<b>RS-12:</b> Primarily intended to accommodate moderate density single family detached dwellings in developments where public water and sewer service is required. The overall gross density will typically be 3.0 units per acre or less.

TRANSPORTATION	
<b>Street Classification</b>	Long Valley Road – Residential Street, Broadleaf Road – Residential Street.
<b>Site Access</b>	Access will be either via Long Valley and/or Broadleaf Road. New street network must adhere to City of Greensboro Street Standards.
<b>Traffic Counts</b>	None available.
<b>Trip Generation</b>	N/A.
<b>Sidewalks</b>	Requirement per Development Ordinance. A 6' sidewalk w/ a 4' grass strip is required along both sides of thoroughfares. A 5' sidewalk w/ a 3' grass strip is required along all other streets.
<b>Transit</b>	No.
<b>Traffic Impact Study</b>	Not required per TIS Ordinance.
<b>Street Connectivity</b>	Potential street connection/extension via Broadleaf Road and Long Valley Road.
<b>Other</b>	N/A.

ENVIRONMENTAL REVIEW	
<b>Water Supply Watershed</b>	Yes, site drains to Greensboro Watershed WS III Watershed Critical Area Tier 3 and 4
<b>Floodplains</b>	Property located within the 100 yr floodplain and there is also a floodway associated with that stream. All proposed buildings must have the finished floor elevation at least 1' above the base flood elevation (BFE), also all the mechanical equipment must be elevated at least 1' above BFE. No development including fill is allowed within the floodway.
<b>Streams</b>	Two perennial streams (blue line streams) on site, other streams have not been identified at this time, if perennial appropriate buffer will be required. Perennial streams require a 100' undisturbed buffer on each side measured from top of bank. Buffer must remain undisturbed with some exemptions.
<b>Other</b>	Max BUA for Tier 3 portion of site is 30% based on site area in Tier 3. Max BUA for Tier 4 portion of site is 40% based on site area in Tier 4. Max disturbed area for Tier 3 is 60% based on usable area. Max disturbed area for Tier 4 is 75% based on usable area. All proposed BUA must be captured and treated by a state approved BMP. Existing BUA must also be treated to the max extent possible.

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
North	N/A
South	N/A
East	N/A
West	N/A

## CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

### Connections 2025 Written Policies:

Growth at the Fringe Goal: Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

POLICY 5A.4: Require land dedication along designated streams at the time of development.

Housing and Neighborhoods Goal: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

POLICY 6A.2: Promote mixed-income neighborhoods.



POLICY 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

POLICY 9A.5: Continue to link City-initiated annexations and approvals of annexation petitions for water/sewer extension policies regarding designated growth areas.

**Connections 2025 Map Policies:**

*The area requested for rezoning lies within the following map classifications:*

Low Residential (3-5 d.u./acre): This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

Tier One (Current Growth Area): Where infrastructure systems are in place, can be economically provided and/or will be proactively extended and where continued annexation and consolidation of the City's development pattern shall be encouraged over the next ten years.

Watershed Critical Area: Established pursuant to State of North Carolina environmental mandates, Watershed Critical Areas are overlays adjacent to a water supply intake or reservoir where the risk associated with pollution is greater than from the remaining portions of a water supply watershed. The Generalized Future Land Use Map shows the portion of the Watershed Critical Area for the Greensboro Water Supply Watershed that is located within the water/sewer boundary. This Watershed Critical Area drains to Lake Brandt, Lake Higgins, and Lake Townsend, which form the northern boundary of the Comprehensive Plan study area. The predominant land use designation in this area is low residential because of the environmental constraints associated with the Watershed Critical Area.

**CONFORMITY WITH OTHER PLANS**

*The following aspects of relevant plans may be applicable in this case:*

**City Plans:** N/A

**Other Plans:** N/A

**STAFF COMMENTS**

**Planning:** This vacant property is bounded on its north (Highland Grove Subdivision), east, and south sides by the primary city limits.

The property is within the Tier 1 Growth Area on the Growth Strategy Map of Connections 2025.

There is an 8-inch City water line in Long Valley Road and there is an 8-inch City sewer line running through the northeast part of the property.

This request is consistent with the Low Residential land use classification on the Generalized Future Land Use Map. A single family detached residential subdivision is compatible with Highland Grove Subdivision to the north.

**GDOT:** No additional comments.

**Water Resources:** Site also may have wetlands. If any disturbance to wetlands is proposed and/or any stream crossing is proposed permits will have to be obtained from the state and corps of engineers prior to construction.

Drainage design must use open vegetated channels wherever possible.

All undisturbed unusable areas must be dedicated and platted as WQCE (Water Quality Conservation Easement).

Site may require on-site detention to meet runoff quantity ordinance.

An appropriately sized drainage easement is required on all channels carrying public runoff (size depends on amount of flow channel carries).

#### **STAFF RECOMMENDATION**

Based on all the information contained in this report, the Planning Department recommends approval.

ADDITIONAL INFORMATION



### **Street Connection Policy:**

In accordance with Section 30-6, 13.3 (C) of the Greensboro Development Ordinance, street extensions that extend from existing neighborhood through a proposed development site into or through another existing neighborhood shall be evaluated and established based on the following criteria:

1. Emergency Response Times:

How much a street connection may decrease emergency response times or enhance emergency vehicle access.

(Fire Department to evaluate, Robert Cudd)

If both connections are not made than there will be no alternate access. If there is only one access point into this development then in the case of a street network breakdown due to weather, accident, or fire there will be no way for emergency responders to get to the proposed residences of development. A secondary means of access is always important for emergency responders. The connections will in addition create alternate emergency access for the existing subdivision.

2. Excessive Block Lengths:

Evaluate current neighborhood block lengths and determine if a street connection is needed.

(Planning Department to evaluate, Steve Galanti)

Section 30-6-13.4 (Block Length/Perimeter) of the Development Ordinance requires the following:

A. Block length shall not exceed 1,500 feet:

Without the connection the block along the east side of Broadleaf Road/Chestnut Ridge Drive (between Highland Grove Drive and Long Valley Road) is currently approximately 2,181 feet. With the connection the block would be divided into two segments, one at approximately 1,360 feet and one at approximately 821 feet. The connection would create blocks that comply with the Ordinance.

**Therefore, the connection is recommended.**

B. Maximum block perimeter of six thousand (6,000) feet:

The current block perimeter measures approximately 29,293 feet. With the street connection the current block would be divided into two blocks, one with a perimeter of approximately 3,401 feet and one with a perimeter of approximately 30,274 feet. Although the connection creates one block that complies with the Ordinance and one that does not comply with the Ordinance; the situation would be closer to compliance (and meeting the intent of the provision) than not having the connection. **Therefore, the connection is recommended.**

NOTES:

- 1) *The dimensions referenced above will be further reduced in the future when other stubs in the vicinity of this site are connected.*
- 2) *Further reducing the block perimeter is severely limited due to the location of the existing city lake property.*

C. Cul-de-sac Maximum Length: The maximum distance from an intersecting through street to the end of a cul-de-sac shall be 1,600 feet within the Watershed Critical Area.

Without the street connection the result would be the creation of three cul-de-sacs. The "Broadleaf Road" cul-de-sac would be approximately 990 feet, "Brookstead Drive" cul-de-sac would be approximately 514 feet, and the "Broadleaf Court" cul-de-sac would be approximately 998 feet. The connection would eliminate the "Broadleaf Road" cul-de-sac, reduce the "Brookstead Drive" cul-de-sac to approximately 246 feet, and reduce the "Broadleaf Court" cul-de-sac to approximately 323 feet. **Therefore, the connection is recommended.**

3. Traffic Congestion:  
Existing and/or anticipated street patterns warrant a street connection(s) in order to reduce traffic congestion.  
(Greensboro Department of Transportation to evaluate, Carrie Reeves)

The proposed street extension/connection is proposed to be local residential street, and is not anticipated to have any impact on traffic congestion level within the area.

4. Pedestrian:  
Existing street and sidewalk patterns warrant a street connection(s) and or sidewalk connection(s) to enhance pedestrian and bicyclist activities.  
(Greensboro Department of Transportation to evaluate, Peggy Holland)

The proposed street connection will provide pedestrian and bicycle connection between existing and proposed residential streets.

5. Coordinated Street Plan:  
A street connection fits into adopted street plans (thoroughfare plan, collector street plan, and local street plan)  
(Greensboro Department of Transportation to evaluate, Carrie Reeves)

There are no adopted street plans for this area.



6. Extraneous Traffic:

Whether or not a proposed street connection(s) would encourage traffic volumes with origins and destinations outside the existing neighborhood or encourage truck traffic to pass through the neighborhood.

(Greensboro Department of Transportation to evaluate, Carrie Reeves)

The proposed street connection is not anticipated to encourage extraneous traffic to utilize this local residential street network.

7. Impacts to Natural Areas:

Whether or not a proposed street connection(s) would adversely affect streams, lakes/ponds, and whether or not there are topographical barriers or unique natural areas.

(Greensboro Department of Transportation, Water Resources Department, and Parks and Recreation Department to evaluate, Virginia Spillman, Mike Simpson)

This site has two perennial streams (blue line streams) and it could potentially have some other perennial streams or intermittent streams. Stream identification is required to find out if there are other streams onsite. At this time and without knowing of any other streams I can say that at least one stream would be affected by the street layout as highlighted on the zoning map. Stream # 1 runs (blue line stream) north to south from the pond parallel to Long Valley Road. Stream #1 will have to be crossed if the connectivity takes place. Some other streams may have to be impacted. Perennial streams in this water supply watershed require a 100' buffer on each side measured from top of bank if high density development is proposed (24%-70% of built upon area) or a 30' buffer if low density development is proposed (0-24% of built upon area). No built upon area is allowed within the buffer except for utility crossings and street crossings. If this connectivity is proposed the built upon area must be completely outside of the buffer unless it's a street crossing.

Also, there could potentially be wetlands associated with the streams. A required street crossing perpendicular to the stream is allowed if appropriate permits are obtained. As with any perennial stream crossing, it would have to be made as close to 90 degrees as possible and all appropriate permits/approvals would have to be obtained from the state and the corps. Any wetlands disturbance also requires permits from the state and corps.

Lake Higgins watershed buffer property located adjacent to the proposed development is home to an assortment of wildlife specifically waterfowl. A street this close to the watershed would not have a positive impact to the buffer or for the inhabitants. Potential petroleum based runoff could negatively impact Lake Higgins and associated streams.

**Note:** It should be noted that the watershed with the lake, stream, wetlands, and the trail are to the extreme south and west of the proposed development. The ordinance will require that they meet all federal, state, and city regulations in regards to mitigation requirements. This connection review is speaking to specifically the stream that would need to be crossed in order to access Long Valley Road and/or the extension of Broad Leaf Drive.

8. Impacts to Public Facilities:

Whether or not a proposed street connection(s) would adversely affect other public facilities such as parks, bike trails, nature trails, and natural areas. (Greensboro Department of Transportation and Parks and Recreation Department to evaluate public facilities, Mike Simpson, Peggy Holland)

A major feeder stream to one of Greensboro's Water Supply's, Lake Higgins is located southeast of the proposed development. The Bald Eagle trail, a popular multiuse trail is located within the watershed buffer that runs along the southern and eastern edge of this property. The developer will required to provide pedestrian connection to this trail from their development.

9. Public Service Delivery:

Whether or not a proposed street connection would enhance delivery of public services.

(Greensboro Department of Transportation and Environmental Services to evaluate Carrie Reeves)

GDOT: The proposed street connection will improve the routing and delivery of goods and public services such as solid waste collection, mail/package deliveries, school bus routing, and water/sewer line connections.

Environmental Services: It continues to be the Department's preference to require the connection of all streets to allow ease of service delivery. During the event in which connectivity is not physically possible, it is the preference of the Department to allow adequately sized turnarounds. Such turnarounds should be constructed to the minimum City street design standards.

This recommendation is based on the Department's ability to provide solid waste services. For the solid waste operations, staff is instructed to avoid backing the solid waste vehicles. Five independent solid waste collection services are provided to resident/businesses on a weekly basis. Three of the five services are managed by a single operator, no safety spotter is available to guide the vehicle or assist maneuvering the vehicle safely with its inherent blind spots. The minimum length of the solid waste vehicles is 33 feet. Due to these constraints, operators are instructed to avoid backing and use available constructed turnarounds and paved areas. Supervisory staff notifies residents of obstacles

placed within the turnaround locations that prevent the delivery of solid waste services.

Conclusively, solid waste service delivery is enhanced with the City's position to encourage street connectivity.

**Public Involvement Procedure:**

When, during the rezoning stage, the initial analysis by the City of Greensboro staff indicates a proposed street connection is warranted (based on a review of criteria 1-9) the Zoning Commission meeting will serve as the public hearing for public involvement and information gathering.

When, during the plan review stage, the initial analysis by City of Greensboro staff indicated a proposed street connection is warranted (based on a review of criteria 1-9) and prior to City of Greensboro staff making a recommendation to the Technical Review Committee, an information gathering meeting will be held with adjacent property owners to seek additional information related to criteria 1-9.

(Greensboro Department of Transportation to coordinate public involvement)

Should a proposed rezoning or an appeal of a TRC plat denial be made, this form (and attached map showing all proposed street connection locations and public involvement summary) will be provided to the Planning Board and City Council for their use and consideration in the appeals process.

**Staff Recommendation:**

Since the watershed and the public trail are directly to the south and with the retention of the existing house on the east side of Long Valley Road this will be the last opportunity to gain an additional access to Long Valley Road. These connections will create block lengths, block perimeters, and cul-de-sacs that will comply with the ordinance. These connections will provide alternate access for emergency responders. The appropriate permits can be obtained to cross the stream to Long Valley Road. TRC recommends that both of the extensions/connections be made via Broadleaf Road and Long Valley Road.

Turn Around Evaluation: In the event that Broadleaf Road is not extended.

Street: Broadleaf Road  
Limits: Long Valley Road to southern property line  
Length: Approximately 1800'

1. How important is a permanent turn around at the end of Broadleaf Road in order for your Department to provide services in a safe and efficient manner? (Please Circle)
  - a. **Critical**
  - b. Very Important
  - c. Somewhat Important
  - d. Not Important at all
2. Does your Department request that a permanent turn around be installed at the end of Broadleaf Road? (Please Circle)
  - a. **Yes** (If yes please list reasons why your department requests a turn around, please include any departmental standards and policies)
  - b. No

Planning Department: The type of turn around will depend on how the abutting property is developed: 1) If single family lots are to be created on the end of Broadleaf Road it should be terminated in a cul-de-sac. 2) If the newly created lots will have frontage and access from the new streets created within the proposed subdivision we defer the decision to the Departments which provide service to the lots on that segment of Broadleaf Road.

Environmental Services: If no through street is developed a permanent structure will be required. Solid waste does not have an alternative to backing at least 75 feet or more. Most services are provided with a single operated vehicle. Blind spots are associated with these vehicles.

Fire Department: Fire code requires any street longer than 150' to have a permanent turn around. The Greensboro Fire Department requires a minimum Cul-De-Sac diameter of 65', or a T/L – shaped turn around w/ the minimum branch length of 50'.

3. If your Department requests a permanent turn around, what type of turn-a-round do you request? (Please circle desired type of turn around)
  - a. **Cul-De-Sac (COG Std. 503)**
  - b. Branch "L" Permanent (COG Std. 502)
  - c. "T"-Type Permanent (COG Std. 502)
  - d. Temporary (COG Std. 502)
  - e. Other

Environmental Services: A cul-de-sac is the preference for the operations of Environmental Services' vehicles. However, a "t" could be managed if adequate space and visibility is provided.

Fire Department: Fire has no preference other than one of the above highlighted permanent turn arounds be installed at the end of streets.

4. Are you aware of any constraints that would prohibit the construction of a turnaround at this location?

- a. No

- b. Yes (Please list constraints below)





City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Connections 2025 Comprehensive Plan Generalized Future Land Use Map Amendment

Department:	Planning	Current Date:	December 20, 2005
Contact 1:	Heidi Galanti	Public Hearing:	January 10, 2006
Phone:	574-3576	Advertising Date:	December 22 and December 29, 2005
Contact 2:	Bill Ruska	Advertised By:	City Clerk
Phone:	373-2748	Authorized Signature:	<i>B. H. Hail</i>

Attachments: Attachment A: Map of the Comprehensive Plan amendment  
Attachment B: A copy of the staff report for the Comprehensive Plan amendment and rezoning request  
The staff report is provided in this packet for the Comprehensive Plan amendment CP-05-18 and the rezoning request PL(Z) 06-03 and PL(Z) 06-04.

**PURPOSE:**

Robert L. Page and Page Properties, LLC, applied for an amendment to the *Connections 2025 Comprehensive Plan* Generalized Future Land Use Map (Figure 4-2) from the Mixed Use Corporate Park and Moderate Residential to the Industrial Corporate Park land use classification for a portion of the property located along both sides of Knox Road at the northeast quadrant of the I-40/85 and Urban Loop Interchange.

The City Council will conduct a public hearing to receive public comment and consider action on this amendment.

**BACKGROUND:**

This request for a Connections 2025 Generalized Future Land Use Map amendment is directly related to a rezoning request for this same area. See attachments for more information.

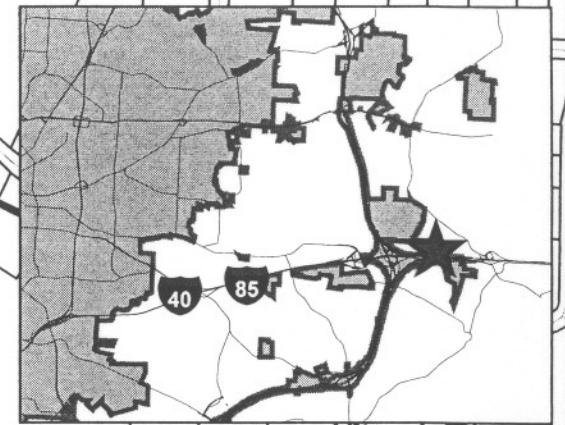
**BUDGET IMPACT:**

N/A

**RECOMMENDATION / ACTION REQUESTED:**

The Planning Department recommends approval of this ordinance.

PUBLIC HEARING  
CITY COUNCIL  
JANUARY 10, 2006



Moderate Residential

Moderate Residential

Moderate Residential

Mixed Use Corporate Park

Mixed Use Corporate Park

Requested from Mixed Use Corporate Park  
and Moderate Residential  
to Industrial/Corporate Park  
94.80 acres

Mixed Use Corporate Park

Mixed Use Corporate Park

(CP-05-18)



1" = 600'

**Attachment B  
(CP-05-18)**

**City of Greensboro Planning Department  
Zoning Staff Report and  
Plan Amendment Evaluation  
December 12, 2005 Public Hearing (Zoning Commission)  
January 10, 2006 Public Hearing (City Council)**

*The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.*

**Item:** M & N  
**Location:** 1089 Knox Road (Both sides of Knox Road at the northeast quadrant of the I-40/85 & Urban Loop interchange)

**Applicant:** Robert L. Page  
**Owner:** Robert L. Page & Page Properties, LLC

**Item M:**

**GFLUM**

**From:** Moderate Residential and Mixed Use Corporate Park  
**To:** Industrial/Corporate Park

**Zoning**

**From:** County CP and City CD-RS-9, CD-RM-5 & CP  
**To:** City CD-LI

**Conditions:** 1) Uses: All uses permitted in the LI zoning district except: agricultural chemicals, pesticides and fertilizer; recycling centers; land clearing and inert debris landfills; junked motor vehicles; drug manufacturing; and stone cutting.

**Item N:**

**GFLUM**

**From:** Moderate Residential and Mixed Use Corporate Park  
**To:** Industrial/Corporate Park

**Zoning**

**From:** County CP and City CP  
**To:** City CD-LI

**Conditions:** 1) Uses: All uses permitted in the LI zoning district except: agricultural chemicals, pesticides and fertilizer; recycling centers; land clearing and inert debris landfills; junked motor vehicles; drug manufacturing; and stone cutting.

SITE INFORMATION	
Maximum Developable Units	N/A
Net Density	N/A
Existing Land Use	Replacements Ltd. / Undeveloped
Acreage	60.92
Physical Characteristics	Topography: Rolling Vegetation: Wooded Other: N/A
Overlay Districts	SCOD-2
Historic District/Resources	N/A
Generalized Future Land Use	Mixed Use Corporate Park & Moderate Residential
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
North	Undeveloped	CD-PDR
South	I 85/40	CP
East	Undeveloped / Rural Residential	AG
West	Wood Creek Subdivision / Undeveloped	CD-RS-9 / CP

ZONING HISTORY		
Case #	Year	Request Summary
3115	2003	The portion of Item M which is zoned CD-RS-9 is the original zoning that was established when the property was annexed on May 31, 2003.
3116	2003	The portion of Item M which is zoned CD-RM-5 is the original zoning that was established when the property was annexed on May 31, 2003.
3373	2005	The portion of Item N on the east side of Knox Road which is zoned CP is the original zoning that was established when the property was annexed on September 30, 2005.



### DIFFERENCES BETWEEN CD-RS-9, CD-RM-5 & CP (EXISTING) AND CD-LI (PROPOSED) ZONING DISTRICTS

**CD-RS-9:** Primarily intended to accommodate moderate to high density single family detached dwellings in developments where public water and sewer service is required. The overall gross density will typically be 4.0 units per acre or less.

**CD-RM-5:** Primarily intended to accommodate duplexes, twin homes, townhouses, cluster housing, and similar residential uses at a density of 5.0 units per acre or less. See Conditions for use limitations and other restrictions.

**CP:** Primarily intended to accommodate office, warehouse, research and development, and assembly uses on large sites in a planned, campus-like setting compatible with adjacent residential uses. The district may also contain retail and service uses which customarily locate within planned employment centers.

**CD-LI** Primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities which in their normal operations have little or no adverse effect upon adjoining properties. See Conditions for use limitations.

### TRANSPORTATION

<b>Street Classification</b>	Knox Road – Local Street.
<b>Site Access</b>	Existing.
<b>Traffic Counts</b>	None available.
<b>Trip Generation</b>	N/A.
<b>Sidewalks</b>	N/A.
<b>Transit</b>	N/A.
<b>Traffic Impact Study</b>	N/A.
<b>Street Connectivity</b>	N/A.
<b>Other</b>	N/A.

### ENVIRONMENTAL REVIEW

<b>Water Supply Watershed</b>	Yes, site drains to Lake McIntosh Watershed WS IV
<b>Floodplains</b>	Part of the property may be located within the 100 yr floodplain and there is also a floodway associated with that stream. All proposed buildings within the 100 yr floodplain must have the finished floor elevation at least 1' above the base flood elevation (BFE), also all the mechanical equipment must be elevated at least 1' above BFE. No development including fill is allowed within the floodway.
<b>Streams</b>	Three perennial streams (blue line streams) on site, other streams have not been identified at this time, if perennial appropriate buffer will be required. Perennial streams require a 100' undisturbed buffer on each side measured from top of bank. No built upon area is allowed within the 100' buffer
<b>Other</b>	Maximum Built Upon Area allowed is 70% of the site acreage. All proposed BUA must drain and be treated by a state approved BMP device (pond or similar).

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
North	N/A
South	N/A
East	N/A
West	N/A

## CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

### Connections 2025 Written Policies:

*Economic Development Goal:* Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

*POLICY 7C:* Ensure that city land use policies and regulations allow for an ***adequate supply of land to accommodate economic development.***

*POLICY 9A.5:* Continue to link City-initiated annexations and approvals of annexation petitions for water/sewer extension policies regarding designated growth areas.

### Connections 2025 Map Policies:

*The area requested for rezoning lies within the following map classifications:*

*Mixed Use Corporate Park:* This designation is intended for large tracts of undeveloped land near the City's fringe that are appropriate for well planned, larger scale business/employment parks with supporting uses such as retail, hotels, and residential. Primary uses such as office, flex office, technology research and development, light manufacturing, distribution, and assembly should be placed in a campus-like or "corporate park" setting with generous, linked open space to maximize value and to promote visual quality and compatibility with the surrounding area. Pedestrian-friendly features such as buildings placed near the street, sidewalks, and trails leading to nearby uses such as retail and housing should be encouraged.

*Moderate Residential (6-12 d.u./acre):* This category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings.

*Tier One (Current Growth Area):* Where infrastructure systems are in place, can be economically provided and/or will be proactively extended and where continued annexation and consolidation of the City's development pattern shall be encouraged over the next ten years.

COMPREHENSIVE PLAN AMENDMENT HISTORY		
Case #	Date	Request Summary
N/A		There have not been any land use amendments in the immediate vicinity of this case.

### APPLICANT STATED REASONS FOR REQUEST

**Explain in detail why the change is needed and a justification for such a change:** The Generalized Future Land Use Map (4-2) currently designates this area as Mixed Use Corporate Park. This designation implies that such an area would be used by multiple parties for various uses. In this instance, the property is owned solely by one entity and used for one singular purpose - - Replacements, Ltd. In addition, the property is surrounded by large, tract residential development to the north and interstates 40 and 85 to the south. The land use classification that is proposed by this amendment will make the classification for these parcels consistent with how the property is currently being used.

**Explain in detail the conditions that you think may warrant a Plan Amendment** (i.e. unforeseen circumstances or the emergence of new information, unanticipated changes in development pattern, rezonings, transportation improvements, economic opportunities, changes in socioeconomic conditions, etc.):

The proposed Plan Amendment is being made in conjunction with a request for original zoning and annexation of these parcels. Water and sewer service already exists for this site. The land use classification that is proposed by this amendment will make the classification for these parcels consistent with how the property is already being used.

### COMPREHENSIVE PLAN STAFF ANALYSIS

#### **Need for the Proposed Change:**

This case is supported by the Economic Development goals and policies of the plan that call for promoting a healthy, diversified economy with a strong tax base and providing opportunities for employment; and allowing for an adequate supply of land to accommodate economic development. This request is also supported by the Growth Strategy Map which places this area in Growth Tier One and it is within the current Water/Sewer Boundary.

The area along the interstates has always been seen as a good location for industrial/corporate development. This request is merely a tweaking of the classification from the Mixed Use Corporate Park to Industrial/Corporate Park because they are planning to have a sole user for the property rather than a mixed use project. The request also calls for an expansion of the Industrial/Corporate Park classification on the north side of Knox Road which is currently designated as Moderate Residential. The current user of the property in question is a large employer that staff feels can coexist with the existing residential and provide an opportunity for living close to employment.

**Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service, traffic counts, planned road improvements, transit, accidents statistics, and environmental constraints such as; location within a Water Supply Watershed, floodplain, streams):**

Water Resources: The site may have wetlands. If any disturbance to wetlands is proposed and/or any stream crossing is proposed permits will have to be obtained from the state and corps of engineers prior to construction.

Site may require on-site detention to meet runoff quantity ordinance.

An appropriately sized drainage easement is required on all channels carrying public runoff (size depends on amount of flow channel carries).

A 12-inch City water line is in Knox Road alongside this property and there is 12-inch City sewer outfall across the east side of this property.

GDOT: As shown on the Generalized Future Land Use Map, these tracts are adjacent to a proposed Bus Rapid Transit Route and Station. The proposed route runs along I-40/85 and the station is proposed in the vicinity of Replacements, Ltd.

**Implications, if any, the Amendment may have for Other Parts of the Plan:**

None

**Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3):**

None

## **COMPREHENSIVE PLAN MONITORING COMMENTS**

The Monitoring Committee met on December 5, 2005, and made the following comments concerning this request:

- the request further solidifies the area as industrial;
- the request is supported by the fact that the site is being used for Replacements, Ltd. as the sole user and it supports its ability to expand and provide more jobs; and
- there was some concern about providing adequate buffering protection for the existing adjacent residential properties in light of additional possible future uses.

## **CONFORMITY WITH OTHER PLANS**

*The following aspects of relevant plans may be applicable in this case:*

**City Plans:** N/A

**Other Plans:** N/A

## STAFF COMMENTS

**Planning:** This proposed satellite annexation contains Replacements, Ltd. and is bounded on three sides by previously approved satellite annexations.

The property currently contains three houses and some outbuildings.

Staff feels that the proposed original zoning is compatible with the Generalized Future Land Use Map in terms of designating this property as "industrial" for future land use and development.

Light Industrial zoning is compatible with the immediate area since Replacements, Ltd. fits the district description of an establishment which, in its normal operations, has little or no adverse effect upon adjoining properties.

**GDOT:** No additional comment.

## STAFF RECOMMENDATION

Based on all the information contained in this report, the Planning Department recommends approval of the Comprehensive Plan amendment to the Industrial/Corporate Pak land use classification and approval of the original zoning to Conditional District-LI primarily due to:

- The site abuts City limits and it is within the Tier One Growth area;
- It is within the Water/Sewer Boundary and is currently served by water and sewer;
- It is an expansion of an existing business that will provide additional jobs on the east side of Greensboro; and
- It supports the desire to have the industrial/corporate users locate along the interstates, especially where there is convenient access.





City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Ordinance annexing territory to the corporate limits – 41.0 acres at 1089 Knox Road

Department:	Planning	Current Date:	12/28/05
Contact 1:	Alec MacIntosh	Public Hearing:	Yes, at 1/10/06 Council
Phone:	373-2747	Advertising Date:	
Contact 2:	Dick Hails	Advertised By:	
Phone:	373-2922	Authorized Signature:	<i>Alexander Z. MacIntosh</i>
Attachments:	Attachment A: "PL(P)05-49" map		

**PURPOSE:**

Page Properties, LLC has petitioned the City for satellite annexation of its properties located at 1089 Knox Road. The City Council is required to hold a public hearing on this petition before considering its approval.

**BACKGROUND:**

This annexation petition covers the property occupied by Replacements, Ltd. It is bounded on its north, east, and south sides by the existing satellite city limits. It is within the Tier 1 Growth Area (0-10 years) on the Growth Strategy Map in the Comprehensive Plan.

There is a City water line alongside the property in Knox Road, and a City sewer line runs through the east part of the property. Fire service to Replacements, Ltd. after annexation would be better than at present. At such time as a new station is constructed, it would become substantially better. Fire response to this property at present would be difficult and would fall short of the City's adopted standards of cover. That would remain the case until the construction of a new City fire station to serve this area, which is in the City's Capital Improvements Program. The Police Department estimates that it can provide service with moderate difficulty, with 0.2 additional officers needed to serve this area. Other City services would be provided in a manner similar to that for the previously-annexed properties nearby. The owners of this property are aware of these service levels and will agree to accept them.

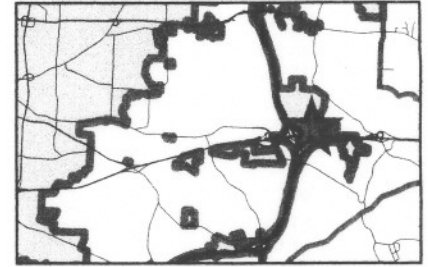
**BUDGET IMPACT:**

Initial service will be absorbed in the budget, but future service will have an incremental effect on future budgets.

**RECOMMENDATION/ACTION REQUESTED:**

The Technical Review Committee (TRC) recommended this annexation to the Planning Board and to City Council. Approval of satellite annexation of this property was recommended to City Council by the Planning Board at its November meeting on a vote of 6-0 (Ayes: Downs, Bryson, Fox, Koonce, Marks, Rhodes).

**CITY COUNCIL**  
**January 10, 2006**



1089 Knox Rd  
TAX MAPS: ACL 4-217-368-15 &  
4-217-367-N-5  
Total Acres: 41.0

**PL(P)05-49**

KNOX RD

I-840 HWY W

BUS 85S\40W

I-85 HWY S  
I-85 HWY N

I-85N\40



1"=400'  
SHEETS  
140 & 191



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Establishment of Original Zoning and Rezoning of Property Located on the North and South Sides of Knox Road at the Northeast Quadrant of the I-40/85 & Urban Loop Interchange

Department:	Planning Department	Current Date:	December 28, 2005
Contact 1:	Richard Hails	Public Hearing:	January 10, 2006
Phone:	373-2922	Advertising Date:	December 22 and 29, 2005
Contact 2:	Bill Ruska	Advertised By:	City Clerk
Phone:	373-2748	Authorized Signature:	<i>RWHails</i>
Attachments:	Attachment A: Vicinity Map (PL(Z) 06-03) Attachment B: Minutes of December 12, 2005 Zoning Commission Meeting Attachment C: Zoning Staff Report ( <b>Attached to Comprehensive Plan Amendment CP-05-18 Agenda Item</b> )		

**PURPOSE:**

Robert L. Page applied for the establishment of original zoning from County Zoning Corporate Park and rezoning from City Zoning Conditional District – RM-5 Residential Multifamily and Corporate Park to City Zoning Conditional District – Light Industrial for a portion of the property located on the north and south sides of Knox Road at the northeast quadrant of the I-40/85 & Urban Loop Interchange. The Zoning Commission considered this application on December 12, 2005. The City Council will conduct a public hearing to consider this application.

**BACKGROUND:**

The Zoning Commission voted 9 to 0 to recommend approval of the proposed original zoning/rezoning request.

There was one speaker in favor of this proposal and one speaker with questions about this proposal at the December 12, 2005 meeting (See Attachment B: Minutes of December 12, 2005 Zoning Commission Meeting).

This Conditional District – Light Industrial original zoning/rezoning application contains the following condition:

- 1) Uses: All uses permitted in the LI zoning district except: agricultural chemicals, pesticides and fertilizer; recycling centers; land clearing and inert debris landfills; junked motor vehicles; drug manufacturing; and stone cutting.

A vicinity map of the proposed original zoning/rezoning is attached and a copy of the Staff Report is attached to the Agenda Item for Comprehensive Plan Amendment CP-05-18.

**RECOMMENDATION / ACTION REQUESTED:**

The Planning Department recommends approval of the ordinance.



**PUBLIC HEARING  
CITY COUNCIL  
JANUARY 10, 2006**

**CD-RS-9**

#3115

SCOD - 1

**CD-PDR**

#3060

AG

**(PL(Z)06-04)**

REQUESTED ORIGINAL ZONING FROM  
COUNTY ZONING CP AND REZONING  
FROM CP TO CD-LI 22.44 ACRES (N)

**CD-RM-5**

#3118

(OUT)

AG

(OUT)

CITY LIMITS LINE

CP  
(OUT)

CP

CITY LIMITS LINE

CP

(OUT)

**RS-12**

LINE

(OUT)

CITY LIMITS LINE

CP

CITY LIMITS LINE

REQUESTED ORIGINAL ZONING FROM  
COUNTY ZONING CP AND REZONING  
FROM CP, CD-RS-9 AND CD-RM-5  
TO CD-LI 38.48 ACRES (M)

**(PL(Z)06-03)**

LI

CP

SCOD - 2

CP

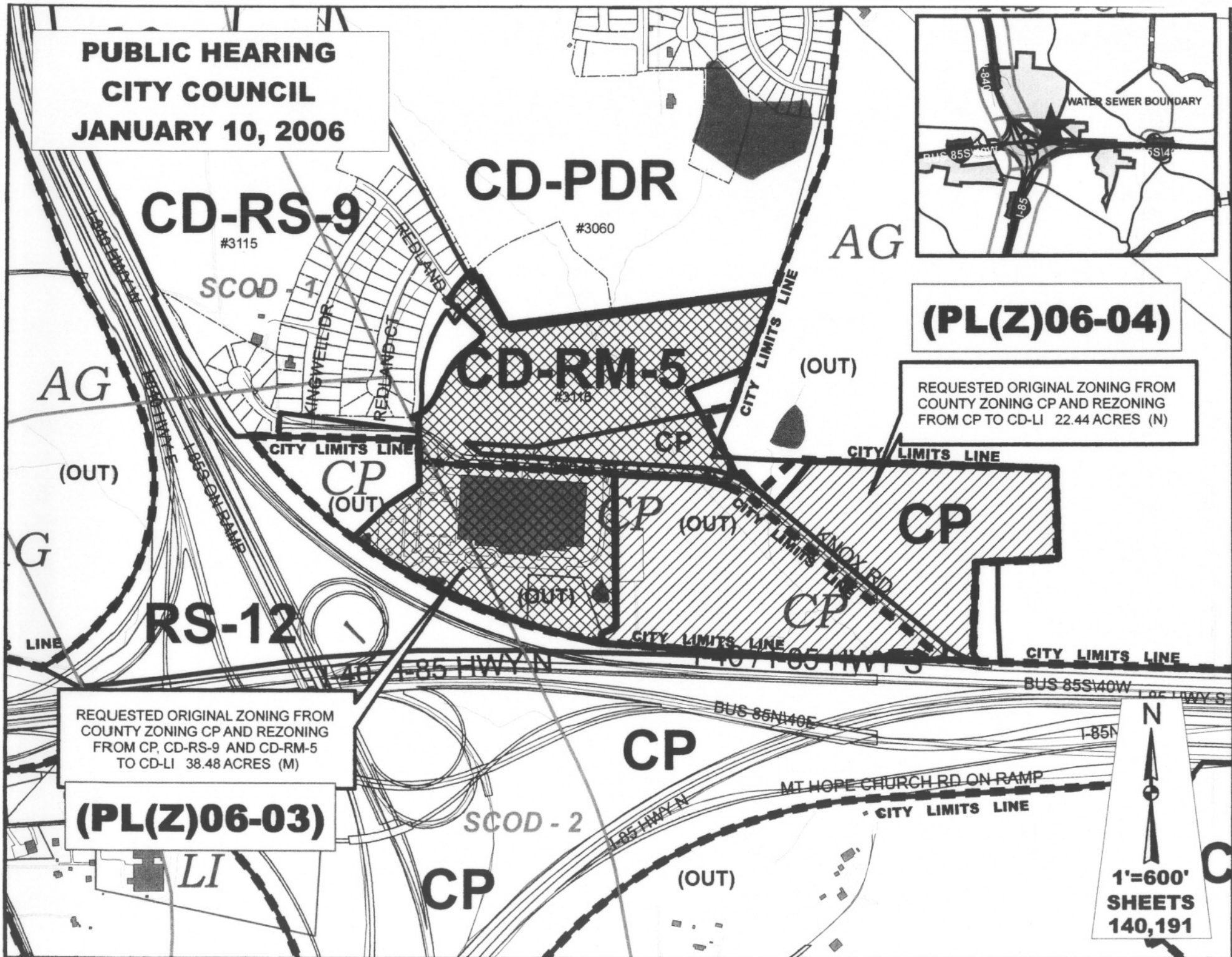
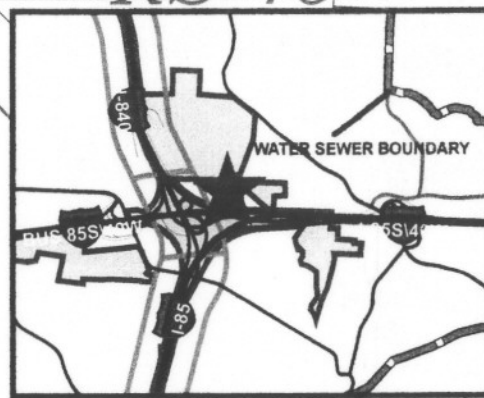
(OUT)

MT HOPE CHURCH RD ON RAMP

CITY LIMITS LINE

N

1"=600'  
SHEETS  
140,191



## **Attachment B**

### **Minutes of December 12, 2005 Zoning Commission Meeting (PL(Z) 06-03 & PL(Z) 06-04)**

Mr. Ruska presented a map showing the subject properties, as well as surrounding properties. He also presented slides of the subject properties and noted issues in the staff report.

Chair Wolf opened the public hearing.

Derrick Allen, Esq., 230 North Elm Street, gave a short history of some of the property. He said Replacements is one of Greensboro's jewels in terms of attracting tourists and business. It has 540 full-time employees and 100,000 visitors to their showroom here in Greensboro every year. Rand-McNally has listed it as one of the top 25 free sites in the U.S., along with the Smithsonian and the Alamo. This business is seeking to double the size of its warehouse over the next five years and is located along those Interstate corridors. The Corporate Park zoning is intended to have several uses. However, the CD-LI rezoning is requested because this will be just one giant building and they plan to double the footprint. One thing that has been heard from staff and others is concern about large tracts of industrial developable property along our Interstate corridors. There has to be available those large tracts of land for companies like the Dell's that may come to this area. The City can then say we have sites ready. They are trying to change the Comp Plan and Zoning Map to to reflect what is actually happening out there. In terms of water/sewer, Replacements has already had that run out there several years ago in conjunction with AT&T. Mr. Allen said they would ask the Commission's approval on the Comp Plan Amendment and rezoning request.

Edward Morrow, 4816 Kingwell Drive, McLeansville, said he was not necessarily in opposition to this request. He said he was seeing that the CD-RM-5 is sitting directly on top of what was supposed to be their amenity center, a pool they have been waiting for for several years. With the expansion of Replacements, would their only access in and out be Knox Road? Also if the traffic is going to be much more substantial, would there be a widening of that road? There was an accident on I-40 several months ago and Knox Road was shut down for about 5.5 hours at 7 o'clock in the morning. So nobody could go to work and no children could go to school. There is no other way in and out of the neighborhood.

Chair Wolf said although Mr. Morrow had good questions, they are not relevant to what the Commission's decision is. Perhaps Mr. Allen could offer up during his limited rebuttal what is planned for Knox Road.

In rebuttal for the applicant, Mr. Allen said in terms of the amenity center and getting up with D.R. Horton, Mr. Morrow will be pleased to know that they have been working with that company. They have been trying to push them to get this project completed. A lot of



administrative and governmental agencies have been involved in order to double the size of the buildings. One of the things they have to do is move existing Knox Road. The back entrance into Mr. Morrow's neighborhood will come off of the new Knox Road. They are contractually bound with D.R. Horton to build that section first so that they can have their amenity center hopefully for this summer. In fact, D.R. Horton wholeheartedly supports what they are doing here because that is the way to get done with the amenity center quicker. Another thing in terms of access, Bennington Village, which is directly to the east of the existing D.R. Horton Subdivision, eventually is supposed to have access there. There is some conflict about timing on that connection, but that should happen at some point as well.

Chair Wolf closed the public hearing.

Mr. Hails said first he would note that the Comp Plan Amendment is attached to this so we are not discussing that directly today. However, if the amendment were approved from Mixed Use - Corporate Park to Industrial Corporate Park, their comments would be in that vein. The rezoning is from Corporate Park to Light Industrial as noted. The condition attached to the request, as he understands it, basically tries to eliminate the uses permitted in LI that would have the greatest impact on surrounding areas so they specifically cut out some uses that permit outdoor activities, outdoor storage and some of the uses that might have the greatest noises or odors. The actual context is it is an expanded use of a largely self-contained large internal business use. It is close to some residential to the north. As noted, mandatory buffers will kick in as well as any private agreements regarding additional buffers. Staff recommends approval of the request.

Ms. Shipman moved the ordinance for property at the northeast quadrant of I-40/85 and Urban Loop Interchange, seconded by Mr. Matheny. The Commission voted unanimously 9-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Miller, Schneider, Shipman, Spangler, Wright. Nays: None.)

Mr. Gilmer moved the ordinance for property located on the east and west sides of Knox Road north of I-40/85, seconded by Mr. Schneider. The Commission voted unanimously 9-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Miller, Schneider, Shipman, Spangler, Wright. Nays: None.)



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Establishment of Original Zoning and Rezoning of Property Located on the East and West Sides of Knox Road North of I-40/85

Department:	Planning Department	Current Date:	December 28, 2005
Contact 1:	Richard Hails	Public Hearing:	January 10, 2006
Phone:	373-2922	Advertising Date:	December 22 and 29, 2005
Contact 2:	Bill Ruska	Advertised By:	City Clerk
Phone:	373-2748	Authorized Signature:	<i>R. Hails</i>

Attachments: Attachment A: Vicinity Map (PL(Z) 06-04)  
Attachment B: Minutes of December 12, 2005 Zoning Commission Meeting  
Attachment C: Zoning Staff Report (**Attached to Comprehensive Plan Amendment CP-05-18 Agenda Item**)

**PURPOSE:**

Robert L. Page applied for the establishment of original zoning from County Zoning Corporate Park and rezoning from City Zoning Corporate Park to City Zoning Conditional District – Light Industrial for a portion of the property located on the east and west sides of Knox Road north of I-40/85. The Zoning Commission considered this application on December 12, 2005. The City Council will conduct a public hearing to consider this application.

**BACKGROUND:**

The Zoning Commission voted 9 to 0 to recommend approval of the proposed original zoning/rezoning request.

There was one speaker in favor of this proposal and one speaker with questions about this proposal at the December 12, 2005 meeting (See Attachment B: Minutes of December 12, 2005 Zoning Commission Meeting).

This Conditional District – Light Industrial original zoning/rezoning application contains the following condition:

- 1) Uses: All uses permitted in the LI zoning district except: agricultural chemicals, pesticides and fertilizer; recycling centers; land clearing and inert debris landfills; junked motor vehicles; drug manufacturing; and stone cutting.

A vicinity map of the proposed original zoning/rezoning is attached and a copy of the Staff Report is attached to the Agenda Item for Comprehensive Plan Amendment CP-05-18.

**RECOMMENDATION / ACTION REQUESTED:**

The Planning Department recommends approval of the ordinance.

**PUBLIC HEARING  
CITY COUNCIL  
JANUARY 10, 2006**

**CD-RS-9**

#3115

**CD-PDR**

#3060

**AG**

**(PL(Z)06-04)**

REQUESTED ORIGINAL ZONING FROM  
COUNTY ZONING CP AND REZONING  
FROM CP TO CD-LI 22.44 ACRES (N)

**CD-RM-5**

#3115

(OUT)

CITY LIMITS LINE

**CP**  
(OUT)

CITY LIMITS LINE

**CP**

**RS-12**

**CP**

CITY LIMITS LINE

CITY LIMITS LINE

REQUESTED ORIGINAL ZONING FROM  
COUNTY ZONING CP AND REZONING  
FROM CP, CD-RS-9 AND CD-RM-5  
TO CD-LI 38.48 ACRES (M)

**(PL(Z)06-03)**

**LI**

**CP**

**CP**

(OUT)

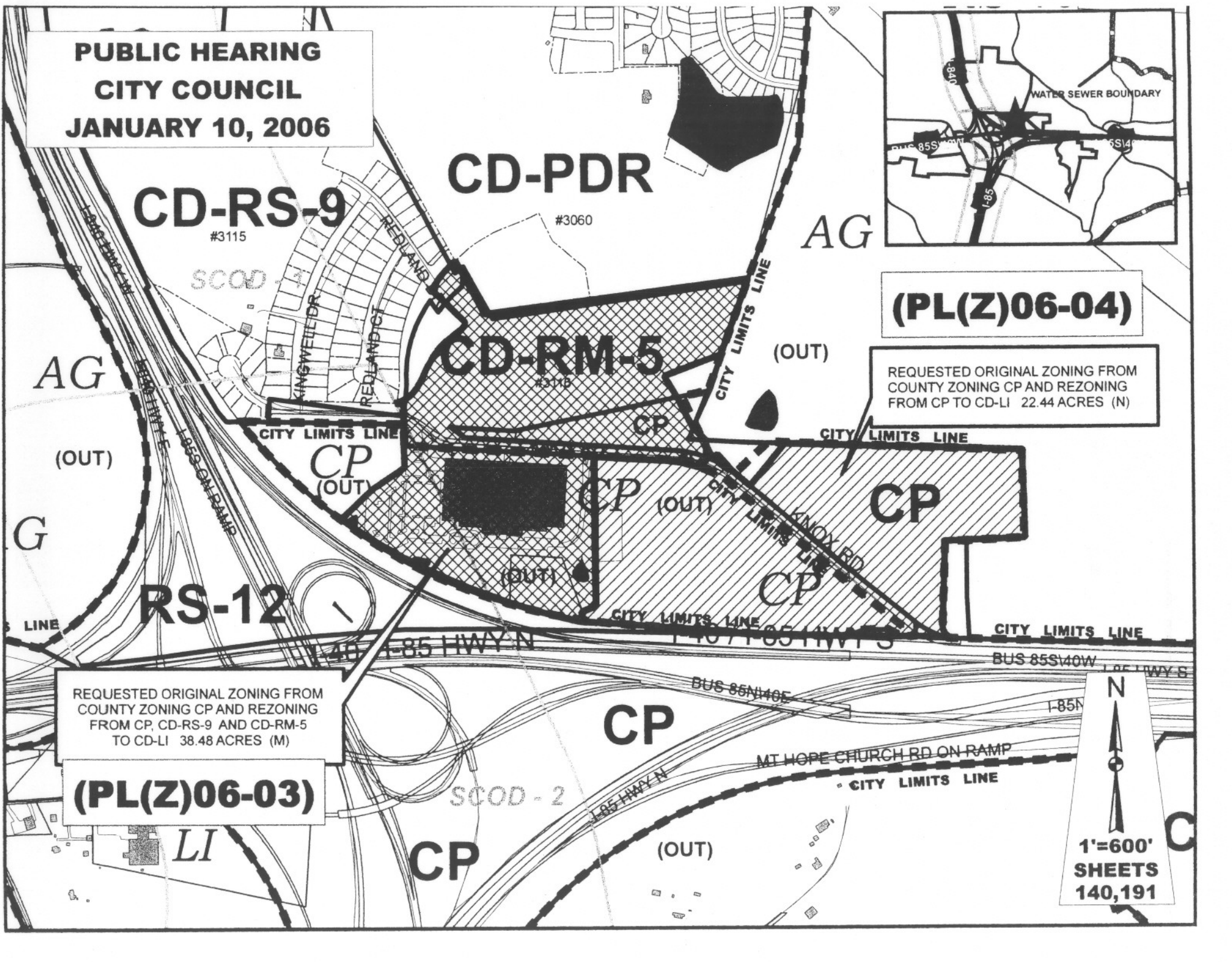
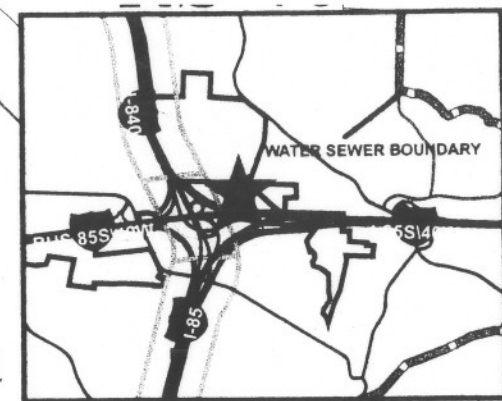
SCOD - 2

MT HOPE CHURCH RD ON RAMP

CITY LIMITS LINE

**N**

**1"=600'  
SHEETS  
140,191**



## **Attachment B**

### **Minutes of December 12, 2005 Zoning Commission Meeting (PL(Z) 06-03 & PL(Z) 06-04)**

Mr. Ruska presented a map showing the subject properties, as well as surrounding properties. He also presented slides of the subject properties and noted issues in the staff report.

Chair Wolf opened the public hearing.

Derrick Allen, Esq., 230 North Elm Street, gave a short history of some of the property. He said Replacements is one of Greensboro's jewels in terms of attracting tourists and business. It has 540 full-time employees and 100,000 visitors to their showroom here in Greensboro every year. Rand-McNally has listed it as one of the top 25 free sites in the U.S., along with the Smithsonian and the Alamo. This business is seeking to double the size of its warehouse over the next five years and is located along those Interstate corridors. The Corporate Park zoning is intended to have several uses. However, the CD-LI rezoning is requested because this will be just one giant building and they plan to double the footprint. One thing that has been heard from staff and others is concern about large tracts of industrial developable property along our Interstate corridors. There has to be available those large tracts of land for companies like the Dell's that may come to this area. The City can then say we have sites ready. They are trying to change the Comp Plan and Zoning Map to to reflect what is actually happening out there. In terms of water/sewer, Replacements has already had that run out there several years ago in conjunction with AT&T. Mr. Allen said they would ask the Commission's approval on the Comp Plan Amendment and rezoning request.

Edward Morrow, 4816 Kingwell Drive, McLeansville, said he was not necessarily in opposition to this request. He said he was seeing that the CD-RM-5 is sitting directly on top of what was supposed to be their amenity center, a pool they have been waiting for for several years. With the expansion of Replacements, would their only access in and out be Knox Road? Also if the traffic is going to be much more substantial, would there be a widening of that road? There was an accident on I-40 several months ago and Knox Road was shut down for about 5.5 hours at 7 o'clock in the morning. So nobody could go to work and no children could go to school. There is no other way in and out of the neighborhood.

Chair Wolf said although Mr. Morrow had good questions, they are not relevant to what the Commission's decision is. Perhaps Mr. Allen could offer up during his limited rebuttal what is planned for Knox Road.

In rebuttal for the applicant, Mr. Allen said in terms of the amenity center and getting up with D.R. Horton, Mr. Morrow will be pleased to know that they have been working with that company. They have been trying to push them to get this project completed. A lot of



administrative and governmental agencies have been involved in order to double the size of the buildings. One of the things they have to do is move existing Knox Road. The back entrance into Mr. Morrow's neighborhood will come off of the new Knox Road. They are contractually bound with D.R. Horton to build that section first so that they can have their amenity center hopefully for this summer. In fact, D.R. Horton wholeheartedly supports what they are doing here because that is the way to get done with the amenity center quicker. Another thing in terms of access, Bennington Village, which is directly to the east of the existing D.R. Horton Subdivision, eventually is supposed to have access there. There is some conflict about timing on that connection, but that should happen at some point as well.

Chair Wolf closed the public hearing.

Mr. Hails said first he would note that the Comp Plan Amendment is attached to this so we are not discussing that directly today. However, if the amendment were approved from Mixed Use - Corporate Park to Industrial Corporate Park, their comments would be in that vein. The rezoning is from Corporate Park to Light Industrial as noted. The condition attached to the request, as he understands it, basically tries to eliminate the uses permitted in LI that would have the greatest impact on surrounding areas so they specifically cut out some uses that permit outdoor activities, outdoor storage and some of the uses that might have the greatest noises or odors. The actual context is it is an expanded use of a largely self-contained large internal business use. It is close to some residential to the north. As noted, mandatory buffers will kick in as well as any private agreements regarding additional buffers. Staff recommends approval of the request.

Ms. Shipman moved the ordinance for property at the northeast quadrant of I-40/85 and Urban Loop Interchange, seconded by Mr. Matheny. The Commission voted unanimously 9-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Miller, Schneider, Shipman, Spangler, Wright. Nays: None.)

Mr. Gilmer moved the ordinance for property located on the east and west sides of Knox Road north of I-40/85, seconded by Mr. Schneider. The Commission voted unanimously 9-0 in favor of the motion. (Ayes: Wolf, Collins, Gilmer, Matheny, Miller, Schneider, Shipman, Spangler, Wright. Nays: None.)





City of Greensboro  
**City Council**  
 Agenda Item

**TITLE:** Hilltop Road Improvements – Contract 2003-03 - Change Order #1

Department:	Engineering & Inspections	Current Date:	December 22, 2005
Contact 1:	Renee Saul	Public Hearing:	N/A
Phone:	373-2101	Advertising Date:	N/A
Contact 2:	Dale Clark	Advertised By:	N/A
Phone:	373-2372	Authorized Signature:	<i>Donald S. Kunkle</i>
Attachments:			

**PURPOSE:** Additional costs have been realized in the construction of the Hilltop Road Improvements, and a contract change order is necessary. The Engineering & Inspections Department has reviewed the change order and City Council approval is needed in order to proceed.

**BACKGROUND:** Contract 2003-003 was approved on August 4, 2003, in the amount of \$4,314,559.22. The contract was awarded to Yates Construction Company, Inc.

The change order results from a design change in the creek crossing structure. The original creek crossing structure that was designed for this contract was rejected by the North Carolina Department of Transportation when submitted for approval. In order to meet the NCDOT requirements the consultant secured additional design work which was approved by NCDOT. Yates Construction Company has solicited revised quotes in two separate bids from subcontractors, and has honored the apparent low bidder. With the new structure, the prime realizes more work will be associated with its construction.

Change Order #1 in the amount of \$333,207.00 will increase the total contract amount to \$4,647,766.22, which is a 7.73% increase to the contract.

**BUDGET IMPACT:** The additional funds for this change order will come from Transportation Capital Improvements Street & Sidewalk Construction projects fund, found in Account Number 401-4531-01.6014 Activity 03222.

**RECOMMENDATION/ACTION REQUESTED:** Engineering & Inspections has reviewed the request and recommends that City Council approve Change Order #1 in the amount of \$333,207.00 to increase the contract amount to \$4,647,766.22 on Contract 2003-003.



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Parks and Recreation Hester Park Lake Fish Re-Stocking Grant

Department:	Parks and Recreation	Current Date:	December 21, 2005
Contact 1:	Ed Deaton	Public Hearing:	No
Phone:	651-6042	Advertising Date:	N/A
Contact 2:	Dan Maxson	Advertised By:	N/A
Phone:	412-6225	Authorized Signature:	<i>Dan Maxson</i> / 
Attachments: Parks and Recreation Hester Park Lake Fish Re-Stocking Grant			

**PURPOSE:**

The North Carolina Department of Transportation has provided funding to re-stock fish in the Lake at Hester Park. Parks and Recreation is requesting that City Council amend the State, Federal and Other Grants Fund budget by \$15,000 for the purpose of replenishing fish in Hester Park Lake. A budget amendment needs to be approved by City Council to permit the expenditure of funds.

**BACKGROUND:**

The total grant of \$15,000 will be utilized by the Parks and Recreation Department to replenish the fish in the Hester Park Lake. The lake was drained and the dam replaced by NCDOT during the construction of the Urban Loop. As a result of the grant, Parks and Recreation will once again be included in the Community Fishing Program and will provide recreational fishing opportunities to the citizens.

**BUDGET IMPACT:**

The grant does not require any matching funds and therefore has no impact on the budget.

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that the City Council adopt the attached budget ordinance amending funding in the amount of \$15,000 for the purpose of re-stocking the fish in Oka T. Hester Park lake.

ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR PARKS AND RECREATION HESTER PARK LAKE FISH RE-STOCKING GRANT AS PART OF THE CONSTRUCTION OF DAM AT OKA T. HESTER PARK PROJECT

**Section 1**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

<b><u>Account</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
220-6052-01.5239	Miscellaneous Supplies	<u>\$15,000</u>
<b>Total</b>		<b>\$15,000</b>

and, that this increase be financed by increasing the following State, Federal and Other Grants Fund accounts:

<b><u>Account</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
220-6052-01.7110	State Grant	<u>\$15,000</u>
<b>Total</b>		<b>\$15,000</b>

**Section 2**

And, that this ordinance should become effective upon adoption.



City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Parks and Recreation NC DENR Recreation Trails Program Grant

**Department:** Parks and Recreation

**Current Date:** December 28, 2005

**Contact 1:** Mike Simpson

**Public Hearing:** No

**Phone:** 373-3812

**Advertising Date:** N/A

**Contact 2:** Dan Maxson

**Advertised By:** N/A

**Phone:** 412-6225

**Authorized Signature:**

*Dan Maxson*

**Attachments:** Parks and Recreation Phase II Southeast Connector Trail Grant

**PURPOSE:**

The North Carolina Department of Environment and Natural Resources (DENR) makes grant funds available up to a maximum of \$50,000 through the Recreational Trails Program. After applying for and receiving the maximum grant funds, the Parks & Recreation Department is requesting that City Council amend the State, Federal and Other Grants Fund budget by \$50,000 for the purpose of constructing Phase II of the Southeast Connector Trail connecting Sussman Street Park, Warnersville Recreation Center and Jones Elementary School to the downtown area. A budget amendment needs to be approved by City Council to permit the expenditure of funds.

**BACKGROUND:**

The total cost of the project will be \$107,480. The grant received is \$50,000 and requires the City to provide the remaining funds of \$57,480, which Parks and Recreation has available in bond funds. The funds will be used to construct a 1,910-ft multiple use trail. Future phases will extend the trail to Barber Park.

**BUDGET IMPACT:**

The Parks and Recreation contribution in the amount of \$57,480 is available in 441-6006-03.6019.

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that the City Council adopt the attached budget ordinance amending funding in the amount of \$50,000 for the purpose of constructing Phase II of the Southeast Connector Trail.

Item Number

19

ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR PARKS AND  
RECREATION PHASE II SOUTHEAST CONNECTOR TRAIL GRANT

**Section 1**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5004-01.6019	Other Improvements	<u>\$50,000</u>
<b>Total</b>		<b>\$50,000</b>

and, that this increase be financed by increasing the following State, Federal and Other Grants Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5004-01.7110	State Grant	<u>\$50,000</u>
<b>Total</b>		<b>\$ 50,000</b>

**Section 2**

And, that this ordinance should become effective upon adoption.





City of Greensboro  
**City Council**  
 Agenda Item

**TITLE:** North Buffalo Sewer Transfer Pump Station Contract 2005-032

Department:	Water Resources	Current Date:	12/19/05
Contact 1:	Allan E. Williams, PE	Public Hearing:	N/A
Phone:	373-2055	Advertising Date:	N/A
Contact 2:	Kevin E. Eason, PE	Advertised By:	N/A
Phone:	373-2895	Authorized Signature:	<i>[Signature]</i>
Attachments:	N/A		

**PURPOSE:**

The contract bids for North Buffalo Transfer Pump Station have been received. In order for the work to proceed on the contract, City Council approval is required.

**BACKGROUND:**

Bids were opened on December 15, 2005 for the North Buffalo Transfer Pump Station. The work consists of construction of a Transfer Sewer Pump Station to help alleviate capacity problems along the City's North Buffalo Outfall as well as provide operational improvements for both the North Buffalo Water Reclamation Facility and the T.Z. Osborne WRF. This project is required as part of a Special Order of Consent with the NC Division of Water Quality signed October 2004. The lowest responsible bidder for the project is T.A. Loving, Inc. with a bid of \$15,760,000.00. The City received one other bid for the contract; Crowder Construction for \$16,670,000.00.

The contract is scheduled to begin on January 31, 2006 and is to be completed in 450 calendar days. The anticipated completion date is April 26, 2007. The engineer's estimate for the contract was \$12,550,000. Both bids were higher than recent estimates due to a current high demand for heavy civil construction. Of the five general contractors pre-qualified for the project based on experience and ability, two withdrew due to inability to obtain bonding for additional work and one withdrew due to the inability to staff the project with qualified supervision. It is unlikely that re-bidding the project will reduce the cost and our consent mandate requires us to move forward with the project without delay.

**BUDGET IMPACT:**

Funding is available from the following accounts: 511-7062-07.6017 #05137

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended by the Water Resources Division that City Council approve the bid and award Contract 2005-032 for the South Buffalo Transfer Station to T.A. Loving, Inc. for the bid amount of \$15,760,000.00.



City of Greensboro  
**City Council**  
Agenda Item

**TITLE: RESOLUTION PROVIDING FOR THE ISSUANCE OF \$12,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2006A**

Department:	Financial & Administrative Services	Current Date:	January 4, 2006
Contact 1:	Rick Lusk, Finance Director	Public Hearing:	No
Phone:	373-2077	Advertising Date:	NA
Contact 2:	Marlene Druga, Deputy Finance Dir.	Advertised By:	
Phone:	373-2077	Authorized Signature:	<i>R. Lusk</i>
Attachments:	Attachment A: Proceedings for Series 2006A General Obligation Public Improvement Bonds		

**PURPOSE**

The City proposes to issue \$12 million General Obligation (GO) Public Improvement Bonds, Series 2006A, on January 18, 2006. These bonds represent the fixed rate portion of the third series of bonds to be issued that are related to \$135.9 million GO bonds approved by voters on November 7, 2000. Issuance of these bonds requires City Council approval of the attached resolution on January 10, 2006.

**BACKGROUND**

In 2000 voters approved the issuance of \$135.9 million GO Bonds for street improvements and other public facilities. \$50 million of these bonds were issued in 2003, \$14.58 million bonds were issued in 2005 and \$22 million in bonds will be issued in 2006. The remaining \$49.32 million in bonds will be issued in future years.

The 2006 bonds will include fixed rate bonds of \$12 million (Series 2006A) and variable rate bonds of \$10 million (Series 2006B). The Series 2006 GO Bonds include \$14.0 million Street Improvement Bonds, \$6.5 million Parks and Recreational Facilities Bonds and \$1.5 million Neighborhood Redevelopment Bonds. The N.C. Local Government Commission approved the sale of the 2006 bonds on January 3, 2006. The variable rate bonds will be issued on February 9, 2006. Issuance of those bonds requires City Council approval on January 24, 2006.

**BUDGET IMPACT**

An increase in property taxes of up to one cent in FY 06-07 is projected to service the debt related to the proposed 2006 GO Bonds and the GO bonds issued in 2005. Under current economic conditions, the GO Bonds can be marketed at reasonable rates of interest.

**RECOMMENDATION/ACTION REQUESTED**

The Finance and Legal Departments recommend City Council approval of the attached resolution providing for the issuance of \$12 million GO Bonds, Series 2006A, on January 18, 2006.

A regular meeting of the City Council of the City of Greensboro, North Carolina, was held in the Council Chamber at the Melvin Municipal Office Building, 300 West Washington Street, Greensboro, North Carolina, the regular place of meeting, on Tuesday, January 10, 2006, at 5:30 P.M.

Present: Mayor Keith A. Holliday, presiding, and Councilmembers \_\_\_\_\_

Absent: \_\_\_\_\_

\* \* \* \* \*

Mayor Holliday introduced the following resolution, which was read by title and summarized by the City Attorney:

RESOLUTION PROVIDING FOR THE ISSUANCE OF  
\$12,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT  
BONDS, SERIES 2006

BE IT RESOLVED by the City Council of the City of Greensboro:

Section 1. The City Council has determined and does hereby find, declare and represent:

(a) That orders authorizing not exceeding \$71,750,000 Street Improvement Bonds, \$34,200,000 Parks and Recreational Facilities Bonds and \$2,800,000 Neighborhood Redevelopment Bonds of the City of Greensboro, North Carolina (the "Issuer") were adopted by the City Council of the Issuer on August 15, 2000, each of which orders was approved by the vote of a majority of the qualified voters of the Issuer who voted thereon at a referendum duly called and held on November 7, 2000.

(b) That \$17,330,000 principal amount of the Street Improvement Bonds and \$16,600,000 principal amount of the Parks and Recreational Facilities Bonds mentioned in

subparagraph (a) above have been issued as part of an issue of \$50,000,000 General Obligation Public Improvement Bonds, consisting of (i) \$40,000,000 principal amount of bonds dated February 1, 2003, maturing on February 1 in the years 2004 to 2020, inclusive, and designated, for purposes of identification only, as "General Obligation Public Improvement Bonds, Series 2003A," and (ii) \$10,000,000 principal amount of bonds dated February 19, 2003, maturing on February 1 in the years 2021 to 2023, inclusive, and designated, for purposes of identification only, "General Obligation Public Improvement Bonds, Series 2003B," that an additional \$4,500,000 principal amount of the Parks and Recreational Facilities Bonds mentioned in subparagraph (a) above has been issued as part of an issue of \$14,580,000 General Obligation Public Improvement Bonds, Series 2005A, dated February 1, 2005 and maturing on February 1 in the years 2006 to 2023, inclusive, and that none of the Neighborhood Redevelopment Bonds mentioned in subparagraph (a) above have been issued.

(c) That no notes have been issued and are outstanding in anticipation of the receipt of the proceeds of the sale of the authorized but unissued Street Improvement Bonds, Parks and Recreational Facilities Bonds and Neighborhood Redevelopment Bonds .

(d) That it is necessary at this time to issue an additional \$4,000,000 of the Street Improvement Bonds, an additional \$6,500,000 of the Parks and Recreational Facilities Bonds and \$1,500,000 of the Neighborhood Redevelopment Bonds mentioned in subparagraph (a) above.

(e) That it is desirable to consolidate for the purpose of their issuance and sale said bonds to be issued as described in subparagraph (d) above into a single issue of bonds, such bonds to be designated "General Obligation Public Improvement Bonds, Series 2006" (the "Bonds").

(f) That the weighted average of the maximum period of usefulness of the improvements to be financed with the proceeds of the Bonds to be issued as described in subparagraph (e) above is estimated as a period of at least 20 years from February 1, 2006 the date of the Bonds to be issued as hereinafter provided, and that such period expires on February 1, 2026.

Section 2. Pursuant to said order, there shall be issued bonds of the Issuer in the aggregate principal amount of \$12,000,000, designated "General Obligation Public Improvement Bonds, Series 2006" and dated February 1, 2006 (the "Bonds"). The Bonds shall be stated to mature (subject to the right of prior redemption as hereinafter set forth) annually, February 1, \$705,000 2007 to 2022, inclusive, and \$720,000 2023, and shall bear interest at a rate or rates to be determined by the Local Government Commission of North Carolina (the "LGC") at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable semiannually on February 1 and August 1 of each year, commencing August 1, 2006, until payment of such principal sum.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated upon an interest payment date in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.



The Bonds will be issued by means of a book-entry system with no physical distribution of Bond certificates to be made except as hereinafter provided. One fully-registered Bond certificate for each stated maturity of the Bonds, registered in the name of Cede & Co., the nominee of The Depository Trust Company, New York, New York ("DTC"), or such other name as may be requested by an authorized representative of DTC, will be issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence beneficial ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The principal or redemption price of each Bond shall be payable to Cede & Co. or any other person appearing on the registration books of the Issuer hereinafter provided for as the registered owner of such Bond or his registered assigns or legal representative at the office of the Bond Registrar mentioned hereinafter or such other place as the Issuer may determine upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Bond shall be made by the Bond Registrar on each interest payment date to the registered owner of such Bond (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on such registration books. Transfer of principal, redemption price and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal, redemption price and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The Issuer will not be responsible or

liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Finance Director of the Issuer determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Issuer will discontinue the book-entry system with DTC. If the Issuer identifies another qualified securities depository to replace DTC, the Issuer will make arrangements with DTC and such other depository to effect such replacement and deliver replacement Bonds registered in the name of such other depository or its nominee in exchange for the outstanding Bonds, and the references to DTC or Cede & Co. in this resolution shall thereupon be deemed to mean such other depository or its nominee. If the Issuer fails to identify another qualified securities depository to replace DTC, the Issuer will deliver replacement Bonds in the form of fully-registered certificates in the denomination of \$5,000 or any multiple thereof ("Certificated Bonds") in exchange for the outstanding Bonds as required by DTC and others. Upon the request of DTC, the Issuer may also deliver one or more Certificated Bonds to any participant of DTC in exchange for Bonds credited to its account with DTC.

Unless indicated otherwise, the provisions of this resolution that follow shall apply to all Bonds issued or issuable hereunder, whether initially or in replacement thereof.

Section 3. The Bonds shall bear the manual or facsimile signatures of the Mayor or City Manager and the City Clerk or any Deputy City Clerk of the Issuer and the corporate seal or a facsimile of the corporate seal of the Issuer shall be impressed or printed, as the case may be, on the Bonds.

The certificate of the LGC to be endorsed on all Bonds shall bear the manual or facsimile signature of the Acting Secretary of the LGC or any assistant designated by her, and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided hereinafter.

In case any officer of the Issuer or the LGC whose manual or facsimile signature shall appear on any Bonds shall cease to be such officer before the delivery of such Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of such Bond shall be the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bonds to be registered in the name of Cede & Co. or any other nominee designated by an authorized representative of DTC and the endorsements thereon shall be in substantially the following forms:

UNLESS THIS CERTIFICATE IS PRESENTED BY AN AUTHORIZED REPRESENTATIVE OF THE DEPOSITORY TRUST COMPANY, A NEW YORK CORPORATION ("DTC"), TO ISSUER OR ITS AGENT FOR REGISTRATION OF TRANSFER, EXCHANGE, OR PAYMENT, AND ANY CERTIFICATE ISSUED IS REGISTERED IN THE NAME OF CEDE & CO. OR IN SUCH OTHER NAME AS IS REQUIRED BY AN AUTHORIZED REPRESENTATIVE OF DTC (AND ANY PAYMENT

IS MADE TO CEDE & CO. OR TO SUCH OTHER ENTITY AS IS REQUESTED BY AN AUTHORIZED REPRESENTATIVE OF DTC), ANY TRANSFER, PLEDGE, OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL INASMUCH AS THE REGISTERED OWNER HEREOF, CEDE & CO., HAS AN INTEREST HEREIN.

No. R- .....

\$.....

United States of America  
State of North Carolina  
County of Guilford

CITY OF GREENSBORO  
GENERAL OBLIGATION PUBLIC IMPROVEMENT  
BOND, SERIES 2006

<u>Maturity Date</u>	<u>Interest Rate</u>	<u>CUSIP</u>
February 1, 20..	.....%	395460 .....

The City of Greensboro, North Carolina (the "Issuer"), a municipal corporation located in the County of Guilford, North Carolina, is justly indebted and, for value received, hereby promises to pay to

CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Finance Director of the Issuer (the "Bond Registrar"), which, as of the date hereof, is located at 300 West Washington Street, Greensboro, North Carolina 27401, the principal sum of

..... DOLLARS

and to pay interest on such principal sum from the date hereof or from the February 1 or August 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is a February 1 or August 1 to which interest shall have been paid, in

which case from such date, such interest to the maturity hereof being payable semiannually on February 1 and August 1 in each year, commencing August 1, 2006, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on the bond registration books of the Issuer. Both the principal of and the interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of the Issuer are hereby irrevocably pledged.

This bond is one of an issue of bonds designated "General Obligation Public Improvement Bonds, Series 2006" (the "Bonds") and issued by the Issuer for the purpose of providing funds, together with any other available funds, for acquiring, constructing, enlarging and improving certain public facilities of the Issuer, and this bond is issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, three orders adopted by the City Council of the Issuer, each of which was approved by the vote of a majority of the qualified voters of the Issuer who voted thereon at a referendum duly called and held, and a resolution duly passed by said City Council (the "Resolution").

The Bonds maturing prior to February 1, 2017 are not subject to redemption prior to maturity. The Bonds maturing on February 1, 2017 and thereafter may be redeemed, at the



option of the Issuer, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than February 1, 2016, at a redemption price equal to 100% of the principal amount of Bonds to be redeemed, plus interest accrued thereon to the date fixed for redemption.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot in such manner as the Issuer in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000 and, further, that so long as a book-entry system with The Depository Trust Company, New York, New York ("DTC") is used for determining beneficial ownership of Bonds, if less than all of the Bonds within a maturity are to be redeemed, DTC shall determine by lot the amount of the interest of each direct participant in the Bonds to be redeemed. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called in the inverse order of their maturities.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the Issuer shall cause a notice of such redemption to be filed with the Bond Registrar and given by certified or registered mail to Cede & Co., the nominee of DTC, or such other person as shall be requested by an authorized representative at DTC, at its address appearing upon the registration books of the Issuer. On the date fixed for redemption, notice having been given as aforesaid, the Bonds or portions thereof so called for redemption shall be due and payable at the redemption price

provided for the redemption of such Bonds or portions thereof on such date, plus accrued interest to such date, and, if moneys for payment of such redemption price and the accrued interest have been deposited by the Issuer as provided in the Resolution, interest on the Bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this Bond shall be called for redemption, a new Bond or Bonds in principal amount equal to the unredeemed portion hereof will be issued to Cede & Co. or its legal representative upon the surrender hereof.

Any notice of redemption may state that the redemption to be effected is conditioned on receipt by the Bond Registrar on or before the redemption date of moneys sufficient to pay the redemption price of and interest on the Bonds to be redeemed. If such notice contains such a condition and moneys sufficient to pay the redemption price of and interest on such Bonds are not received by the Bond Registrar on or before the redemption date, the redemption shall not be made and the Bond Registrar will within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received and the redemption will not take place.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Resolution. One Bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., a nominee of DTC, is being issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Transfer of principal, redemption price and interest payments to participants of

DTC will be the responsibility of DTC, and transfer of principal, redemption price and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The Issuer will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In certain events, the Issuer will be authorized to deliver replacement Bonds in the form of fully-registered certificates in the denomination of \$5,000 or any multiple thereof in exchange for the outstanding Bonds as provided in the Resolution.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, Bonds may be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of authorized denominations and bearing interest at the same rate.

The Bond Registrar shall keep at his office the books of the Issuer for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this Bond a new Bond or Bonds, registered in the name of the transferee, of authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this Bond, of the same maturity and bearing interest at the same rate.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in regular and due form

and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within the City of Greensboro sufficient to pay the principal of and the interest on this Bond as the same shall become due; and that the total indebtedness of the Issuer, including this Bond, does not exceed any constitutional or statutory limitation thereon.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this Bond shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the Issuer, by resolution duly passed by its City Council, has caused this bond [to be manually signed by] [to bear the facsimile signatures of] its [Mayor] [City Manager] and its [Deputy] City Clerk and [a facsimile of] its corporate seal to be [printed] [impressed] hereon, all as of the 1st day of February, 2006.

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[Mayor] [City Manager]

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[Deputy] City Clerk

#### CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

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Acting Secretary, Local Government Commission

## CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the series designated herein and issued under the provisions of the within-mentioned Resolution.

Finance Director of the City of  
Greensboro, North Carolina,  
as Bond Registrar

By \_\_\_\_\_  
Authorized Signatory

Date of authentication: \_\_\_\_\_

## ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto \_\_\_\_\_

\_\_\_\_\_

the within bond and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_

\_\_\_\_\_

attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Date: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

\_\_\_\_\_  
NOTICE: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.



Certificated Bonds issuable hereunder shall be in substantially the form of the Bonds registered in the name of Cede & Co. with such changes as are necessary to reflect the provisions of this resolution that are applicable to Certificated Bonds.

Section 4. The Bonds maturing prior to February 1, 2017 will not be subject to redemption prior to maturity. The Bonds maturing on February 1, 2017 and thereafter will be redeemable, at the option of the Issuer, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than February 1, 2016, at a redemption price equal to 100% of the principal amount of Bonds to be redeemed, plus interest accrued thereon to the date fixed for redemption.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot in such manner as the Issuer in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000 and, further, that so long as a book-entry system with DTC is used for determining beneficial ownership of Bonds, if less than all of the Bonds within a maturity are to be redeemed, DTC shall determine by lot the amount of the interest of each direct participant in the Bonds to be redeemed. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called in the inverse order of their maturities.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the Issuer shall cause a

notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part at his address appearing upon the registration books of the Issuer, provided that such notice to Cede & Co. shall be given by certified or registered mail. Failure to mail such notice or any defect therein shall not affect the validity of the redemption as regards registered owners to whom such notice was given as required hereby. Each such notice shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. In the event that Certificated Bonds are outstanding, each such notice to the registered owners thereof shall also set forth, if less than all of the Bonds of any maturity then outstanding shall be called for redemption, the distinctive numbers and letters, if any, of such Bonds to be redeemed and, in the case of any Bond to be redeemed in part only, the portion of the principal amount thereof to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall state also that on or after the redemption date, upon surrender of such Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of such Bond will be issued.

Any notice of redemption may state that the redemption to be effected is conditioned on receipt by the Bond Registrar on or before the redemption date of moneys sufficient to pay the redemption price of and interest on the Bonds to be redeemed. If such notice contains such a condition and moneys sufficient to pay the redemption price of and interest on such Bonds are not received by the Bond Registrar on or before the redemption date, the redemption shall not be made and the Bond Registrar will within a reasonable time thereafter give notice, in the manner in which the notice of redemption was given, that such moneys were not so received and the redemption will not take place.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the redemption price of the Bonds or portions thereof called for redemption as well as the interest accruing thereon to the redemption date thereof.

On the date fixed for redemption, notice having been given in the manner and under the conditions hereinabove provided, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, have been deposited by the Issuer to be held in trust for the registered owners of Bonds or portions thereof to be redeemed, interest on the Bonds or portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender such Bond to the Bond Registrar for payment of the redemption price thereof, and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

Section 5. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative

in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the Issuer upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The Issuer or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made by the Issuer or the Bond Registrar for exchanging or registering the transfer of Bonds under this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the

principal of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

The Issuer shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to then current commercial standards and for the timely payment of principal of and interest on the Bonds. The Finance Director of the Issuer is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively the "Bond Registrar"), subject to the right of the governing body of the Issuer to appoint another Bond Registrar, and as such shall keep at his office the books of the Issuer for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 6. The Issuer covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended, except to the extent that the Issuer obtains an opinion of bond counsel to the effect that noncompliance would not result in interest on the Bonds being includable in the gross income of the owners of the Bonds for purposes of federal income taxation.

Section 7. The Issuer hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide:

- (a) by not later than seven months from the end of each fiscal year of the Issuer, commencing with the fiscal year ending June 30, 2006, to each nationally recognized municipal securities information repository ("NRMSIR") and to the state



information depository for the State of North Carolina ("SID"), if any, audited financial statements of the Issuer for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the Issuer are not available by seven months from the end of such fiscal year, unaudited financial statements of the Issuer for such fiscal year to be replaced subsequently by audited financial statements of the Issuer to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the Issuer, commencing with the fiscal year ending June 30, 2006, to each NRMSIR, and to the SID, if any, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under the heading "The City-Debt Information and - Tax Information" in the Official Statement relating to the Bonds (excluding any information on overlapping units) and (ii) the combined budget of the Issuer for the current fiscal year, to the extent such items are not included in the financial statements referred to in (a) above;

(c) in a timely manner, to each NRMSIR or to the Municipal Securities Rulemaking Board ("MSRB"), and to the SID, if any, notice of any of the following events with respect to the Bonds, if material:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;

- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions or events affecting the tax-exempt status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds;
- (8) bond calls;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds; and
- (11) rating changes; and

(d) in a timely manner, to each NRMSIR or to the MSRB, and to the SID, if any, notice of a failure of the Issuer to provide required annual financial information described in (a) or (b) above on or before the date specified.

To the extent permitted by the U.S. Securities and Exchange Commission, the Issuer may discharge the undertaking described above by transmitting such financial statements, financial and statistical information and notices to [www.disclosuresusa.org](http://www.disclosuresusa.org).

If the Issuer fails to comply with the undertaking described above, any beneficial owner of the Bonds then outstanding may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds.

The Issuer reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the Issuer, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the Issuer;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the Issuer (such as bond counsel), or by approving vote of the registered owners of not less than a majority in principal amount of the Bonds then outstanding pursuant to the terms of this bond resolution, as it may be amended from time to time.

The Issuer agrees that the annual financial information containing the amended operating data or financial information will explain, in narrative form, the reasons for the amendments and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section 8 shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

Section 8. The action of the Finance Director of the Issuer in applying to the LGC to sell the Bonds and the action of the LGC in asking for sealed bids for the Bonds by distributing a Notice of Sale and Bid Form and a Preliminary Official Statement relating to the sale of the Bonds are hereby ratified and approved. Such Preliminary Official Statement, dated January 6,

2006 and substantially in the form presented at this meeting, is hereby approved, and the Mayor, the City Manager and the Finance Director of the Issuer are each hereby authorized to approve the Official Statement, in substantially the form of the Preliminary Official Statement, including changes necessary to reflect the interest rates on the Bonds, the offering prices of the Bonds and any credit enhancement for the Bonds purchased by the successful bidder, and to execute such Official Statement for and on behalf of the Issuer.

Section 9. This resolution shall take effect upon its passage.

The City Attorney then announced that she had approved as to form the foregoing resolution.

Upon motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, the foregoing resolution entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF \$12,000,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2006" was passed by roll call vote as follows:

Ayes: Councilmembers \_\_\_\_\_

\_\_\_\_\_.

Noes: \_\_\_\_\_.

Thereupon Mayor Holliday announced that said resolution had passed by a vote of \_\_\_\_\_ to \_\_\_\_\_.

\* \* \* \* \*

I, Juanita F. Cooper, City Clerk of the City of Greensboro, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the City Council of said City at a regular meeting held on January 10, 2006, the record having been made in the official minutes of said City Council, and is a true copy of so much of said minutes

as relates in any way to the passage of a resolution providing for the issuance of \$12,000,000 General Obligation Public Improvement Bonds, Series 2006 of said City.

I DO HEREBY CERTIFY that a schedule of regular meetings of said City Council, stating that regular meetings of said City Council are held on the first and third Tuesdays of each month at 5:30 P.M. (except that (i) the meetings in January 2006 will be held on January 10 and 24, 2006 and (ii) if any such regular meeting day is a legal holiday, the meeting will not be held), in the City Council Chamber at the Melvin Municipal Office Building in Greensboro, North Carolina, has been on file in my office pursuant to G.S. § 143-318.12 as of a date not less than seven days before said meeting.

WITNESS my hand and the corporate seal of said City, this \_\_\_\_ day of January, 2006.

---

City Clerk

[SEAL]





City of Greensboro  
**City Council**  
Agenda Item

**TITLE:** Amendment to Agreement with Greensboro Housing Authority for Housing Vouchers for Gulf Coast Evacuees

Department: Housing & CD

Current Date: December 29, 2005

Contact 1: Dan Curry

Public Hearing: NA

Phone: 373-2751

Advertising Date: NA

Contact 2: Michael Blair

Advertised By: NA

Phone: 433-7266

Authorized Signature:

Attachments:

**PURPOSE:**

The Greensboro Housing Authority (GHA) has received more requests for rental assistance for Gulf Coast evacuees than anticipated. GHA is requesting additional funding from the City to cover these expenses. The City Council will have to authorize the additional funds.

**BACKGROUND:**

The Community Resource Board recommended the use of \$30,000 in housing vouchers for Gulf Coast Evacuee temporary housing assistance on October 20, 2005. The demand for this aid was great and 33 vouchers have been issued by the GHA affecting 72 total individuals. An additional \$45,000 is needed to cover three additional months of assistance. It is proposed that this additional funding be taken out of the Nussbaum Housing Partnership funds. The City has also submitted a Sheltering Plan to the State to apply for reimbursement by FEMA for the expenditure of City funds for housing vouchers.

**BUDGET IMPACT:**

The additional costs of these housing vouchers will be \$45,000 and will be funded from the Nussbaum Housing Partnership Fund unallocated fund balance.

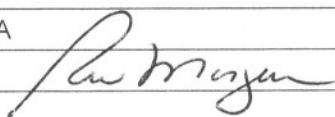
**RECOMMENDATION / ACTION REQUESTED:**

City Council is asked to approve the amendment of the current agreement for the Gulf Coast Evacuee housing vouchers, administered by the Greensboro Housing Authority, for an additional \$45,000 of Nussbaum Housing Partnership funds.



City of Greensboro  
**City Council**  
Agenda Item

**TITLE: EXTENDING THE LEASE AGREEMENT WITH BRYAN PARK GOLF, LLC**

Department:	Parks and Recreation	Current Date:	1/04/06
Contact 1:	Mark Bush	Public Hearing:	NA
Phone:	373-6225	Advertising Date:	NA
Contact 2:	Linda Miles	Advertised By:	NA
Phone:	373-2320	Authorized Signature:	
Attachments:			

**PURPOSE**

The agreement with Bryan Park Golf, LLC for the operation of Bryan Park Complex has concluded its first three year period and can be renewed for another three years. Both parties wish to exercise the option to renew the agreement with one amendment. The City Council must approve this amendment and the three year extension.

**BACKGROUND**

The City of Greensboro entered into an agreement with Bryan Park Golf, LLC for the operation of the Bryan Park Complex (including the golf courses, the pro shop, restaurant, the practice range, the tennis facility and Enrichment Center). The agreement is renewable for another three year period. The LLC has successfully operated and improved the facility during the first three years of the agreement. It has also reduced the cost to the City for the operation of the facility.

The present agreement specifies that the City is to pay \$125,000 annually toward the operation of the Bryan Park Facility during the first three years of the agreement. The proposed amendment would continue this annual payment to the LLC for capital expenditures only.

**BUDGET IMPACT**

The annual budget would continue to appropriate \$125,000.

**RECOMMENDATION/ACTION REQUESTED**

The City Council is requested to adopt a resolution extending the lease agreement with Bryan Park Golf, LLC and amending the provision for contribution by the City.

RESOLUTION EXTENDING THE LEASE AGREEMENT WITH BRYAN PARK GOLF, LLC AND AMENDING THE PROVISION FOR CONTRIBUTION BY THE CITY

WHEREAS, the City of Greensboro entered into a Contract with Bryan Park Golf, LLC for the operation of the Bryan Park Complex (including the golf courses, the pro shop, restaurant, the practice range, the tennis facility and the Enrichment Center);

WHEREAS, said Lease provides that the term shall be for three years with a three year extension;

WHEREAS, Bryan Park Golf, LLC has successfully operated and improved the facility for the last three years and, at the same time, reduced the costs to the City for the operation of the facility;

WHEREAS, in Section 3B. of its initial contract the City agreed to provide \$125,000 per year toward the operation of the Bryan Park facility;

WHEREAS, it is in the best interest of the citizens to extend the Lease with Bryan Park, LLC and to continue the City's contribution toward the operation of the facility for capital expenses only.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the Contract between the City of Greensboro and Bryan Park Golf, LLC be extended for three years.
2. That Section 3B. of said Contract be amended to provide that the City will continue to pay \$125,000 per year to the Lessee for capital expenditures only.

## DISBURSEMENTS MADE BY THE CITY TREASURER

14-Dec-05

The following report covering voucher numbers 137037 through 137994 in the amount of \$17,386,142.25 is submitted for your information

### Vouchers issued against approved contracts for service & construction projects

Greenways, Inc. - professional services for bicycle, pedestrian & greenway master plan	\$ 19,309.09
Sandhills Contractors - general sidewalk improvements	99,731.41
US Infrastructure - design services for thoroughfare sidewalk	28,306.17
Yates Construction Co. - Hilltop Road improvements	46,078.95
Clear View Strategies, LLC - professional marketing services for Transportation Dept.	14,504.79
Hamlett Assoc. - renovations for Church Street smoke training tower	95,661.17
M&M Builders - construction of equipment service building for Hugh Medford Service Center	12,098.80
HDR Engineering - design services for Solid Waste Transfer Station	144,176.50
Reynolds, Smith & Hills, Inc. - professional services for street design guidelines project	25,699.72
Sandhills Contractors - general sidewalk improvements	114,525.59
Haden-Stanziale, PA - Summit Avenue corridor study	48,495.28
Carolina Asphalt Paving - general contractor for Southeast walking trail	35,456.35
Triangle Grading - Friendly Avenue West project	75,785.62
Yates Construction Co. - Wendover Avenue intersection & sidewalk project	123,564.77
Sidley Austin Brown & Wood LLP - professional services for master standby bond purchase agreement	12,227.26

### Vouchers issued against approved contracts for equipment, supplies & items purchased by Council approval

Brenntag Southeast - chemicals	10,300.94
Kemiron Co. - chemicals	13,860.96
Martin Marietta Aggregates - rock	18,682.22
Thompson-Arthur Paving Co. - asphalt	13,479.55
Andritz Bird, Inc. - repair of equipment at Osborne Plant	78,311.72
Attayek Services - landscaping services	32,625.45
Brenntag Southeast - chemicals	11,867.64
Piedmont Fire - turn out gear for Fire Dept.	78,924.27
POM Inc. - meters for Transportation	13,481.64

Potter Oil - bio diesel fuel	\$	29,308.60
Baker & Taylor Co. - books		18,300.04
Soccer Op, LLC - payment for contract percentages		34,947.00
Clinard Oil Co. - unleaded & diesel fuel		49,674.16
Gateco Oil Co. - unleaded fuel		12,830.86
General Electric Co. - maintenance agreement for four substations		20,558.00
HP Wright Electric Co. - electrical maintenance for elevated tanks		48,094.00
Showfety's - purchase of socks for Police Dept.		11,556.00
Cherry Bekaert & Holland - auditing services		15,500.00
MBNA America Delaware - procurement card charges		501,105.63
Standard & Poor Corp. - expenses for special obligation bonds		10,000.00
WT Cox Subscriptions - subscription services for various Library branches		43,742.19
IG Development, Inc. - lead rehab for 2905 Holmes Road		11,670.00
Coggin, Blackwood & Brannan - legal services		15,029.00
IBM Corp. - financing for IBM services		23,869.00
Clifton Parker Construction - lead rehab for 3806 Cameron Avenue		14,375.00
Gateco Oil Co. - diesel & unleaded fuel		32,537.45
Kyle's Friendly Service - diesel fuel		12,501.25
Bushhog America - clearing of dams & mowing services		15,500.00
Dean's Office Machines - lease of copiers		20,769.03
Kair, Inc. - gas mask for Police Dept.		166,774.43
National Waterworks - fire hydrants		46,688.44
Remotec, Inc. - vehicle assembly equipment for Police Dept.		134,977.00
Terry Labonte Chevrolet - parking lot sweeper vehicle		58,775.00
USA Staffing - temporary services		11,715.10
FCR, Inc. - expenses for recycling program		78,650.47
Clinard Oil Co. - unleaded fuel		13,444.41
Monticello Auto Wholesalers - purchase of vehicles		38,300.00
Potter Oil - bio-diesel fuel		43,775.67
Rodders & Jets Supply Co. - portable lateral cameras for Water Resources		15,611.30
Brenntag Southeast - chemicals		16,497.84
Baker & Taylor Co. - books		13,887.71
IG Development, Inc. - lead rehab for 825 S. Pearson Street		15,945.00
City of Burlington - HOME program expenses for 2243 Radiance Drive		67,465.41
Thompson-Arthur Paving Co. - asphalt		15,012.89
Carolina Tractor - install undercarriage on dozer equipment # 972273		37,756.91
Clinard Oil Co. - unleaded fuel		24,127.25
Landfill Service Corp. - rental of equipment for Landfill		10,912.62
Snider Tire - tires		12,631.36
Conner Sport Court - replace gym floor at Lindley Center		34,243.44
Banc of America Securities - remarketing agent fees		15,718.32
IBM Corp. - financing for IBM services		18,326.00
Ontario Investments - lease of computer equipment		14,871.68
Arrington Police - body armor		10,705.36



Carolina Environmental Systems - parts for refuse trucks	\$ 11,150.43
Datanet Services - computer maintenance agreement	83,200.66
Game-Time - installation of playground units	112,842.72
Motorola - maintenance of 800 MHz system	52,274.23
Murray Enterprises - installation of traffic loop detectors	15,178.98
Nice Systems - installation of dictaphone recorder system for Police Dept.	14,326.94
Sherwin Industries - asphalt repair material	11,756.36
Smith-Carolina Corp. - precast concrete building for Townsend Plant	13,214.50
Southeastern Distributors - water meter boxes	18,825.00
Stoptech - stop stick kits for Police Dept.	18,442.00
Terry Labonte Chevrolet - purchase of vehicle	29,005.00
US Filter - bioxide	11,200.25
Walnut Circle Press - printing of Greensboro calendar	11,593.40

#### **Vouchers issued against budget for payroll & fringe benefits**

Wachovia - gross payroll expense for payroll ended 11/30/05	5,800,260.07
Internal Revenue Service - FICA expense for payroll ended 11/30/05	278,782.54
NC Local Governmental Employees Retirement System - pension expense for payroll ended 11/30/05	328,993.77
United Health Care - medical insurance premium for November	195,965.50
City of Greensboro - dental insurance premium for November	16,431.84
Wachovia - gross payroll expense for payroll ended 11/30/05	38,500.00
Wachovia - gross payroll expense for payroll ended 11/30/05	3,427,924.73
Internal Revenue Service - FICA expense for payroll ended 11/30/05	148,595.02
NC Local Governmental Employees Retirement System - pension expense for payroll ended 11/30/05	205,375.49
Wachovia - Coliseum payroll expense for period ended 11/27/05	18,686.72
Standard Insurance Co. - life insurance premiums	78,982.39
Wachovia - gross Coliseum payroll expense for period ended 12/04/05	11,175.64

#### **Vouchers issued against approved resolutions & real estate purchases**

Maurice & Zmira Sabbah - cost to cure compensation for landscaping for Friendly Avenue widening project	40,741.00
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#### **Vouchers issued against budget authorization not under contract**

City of Burlington - purchase of water	169,616.10
Winston-Salem Water & Sewer Division - purchase of water	94,570.27
Bell South - phone service	12,765.59
Duke Power Co. - utilities	20,269.45
Duke Power Co. - utilities - street lighting bill	186,990.42
Duke Power Co. - utilities	77,948.45

Piedmont Natural Gas - utilities	\$ 10,571.21
Bell South - phone service	13,202.49
Duke Power Co. - utilities	51,990.33
City of Reidsville - purchase of water	174,077.29
City of Greensboro - water & sewer utilities	11,019.35
Duke Power Co. - utilities	12,799.58
City of Greensboro - water & sewer utilities	48,354.82

<b>Page Totals</b>	<b>\$ 14,903,437.21</b>
<b>Vouchers less than \$10,000.00</b>	<b><u>2,482,705.04</u></b>
<b>Total Issued</b>	<b><u><u>17,386,142.25</u></u></b>

## **DISBURSEMENTS MADE BY THE CITY TREASURER**

**21-Dec-05**

**The following report covering voucher numbers 137995 through 138453 in the amount of \$10,035,620.94 is submitted for your information**

### **Vouchers issued against approved contracts for service & construction projects**

Brooks General Contractors - field houses for Leonard & Peeler Centers	\$	45,574.20
Hamlett Assoc. - general contractor for Fire Station # 2		92,736.00
Hamlett Assoc. - general contractor for Fire Station # 21		135,648.00
Jimmy R. Lynch & Sons - Bledsoe Drive force main improvements		101,485.24
EZ-Go Textron - golf carts		16,640.00
Brooks General Contractors - handicap parking addition for Central Library		11,553.00
Duke Power Co. - installation of shoebox lights for Fire Station # 21		10,723.43
Heitkamp, Inc. - Brice Street/Lindley Park area waterline rehab project		161,859.01
Kenneth R. Greene Utility Contractor - sanitary sewer rehab project		250,136.25
Laughlin-Sutton construction - general contractor for solid waste transfer station		353,561.39
Lawson Assoc. - professional services for Lawson upgrades		62,330.51
Jimmy R. Lynch & Sons - Bledsoe Drive sanitary sewer lift station project		258,371.66

### **Vouchers issued against approved contracts for equipment, supplies & items purchased by Council approval**

Kyle's Friendly Service - unleaded & diesel fuel	40,778.48
Marcellus Janitorial Service - janitorial services	16,281.00
Potter Oil - bio-diesel fuel	56,284.34
Snider Tire - tires	15,440.07
Systems & Software - computer maintenance agreements	241,605.75
Bank of Lincolnwood - lease of computer equipment	228,116.29
Brenntag Southeast - chemicals	20,770.47
The Christian Counseling & Wellness Group - expenses for Prince of Peace Haven & Homes Network programs	54,620.73
Greensboro Housing Coalition - administrative & operational expenses	11,606.58
Greensboro Housing Coalition - expenses for Housing Hotline program	26,571.84
Habitat for Humanity - operation infill acquisition agreement for 9 units	89,744.85
Malachi House - shelter operations	15,932.35
Clinard Oil Co. - unleaded fuel	24,055.34
Precision Wall - installation of walls & ceilings	24,025.00
Connor Sport Court - installation of gym floor at Peeler Center	33,358.08

Storr Office Environments - office furniture	\$ 21,265.68
StratusTechnologies Ireland - computer maintenance agreements	25,236.00
Kyle's Friendly Service - unleaded & diesel fuel	32,688.99
Matlack Sales & Marketing - pedestrian signage	15,089.25
Monticello Auto Wholesalers - purchase of vehicle	13,000.00
RGA, Inc. - video camera system for Transportation Dept.	15,194.00
Superior Fitness Systems - fitness equipment for Peeler Center	29,191.37
The Servant Center - expenses for Shelter operations	21,006.80
Data Select Systems - construction loan control system for Collections Dept.	14,029.01
Baker & Taylor Co. - books	13,086.90
CNJ LLC - East Market Street upfit agreement	16,795.00
Revels Tractor Co. - purchase of 2 wheel drive pro gator equipment	35,506.88
Connor Sport Court - installation of gym floor at Lindley Center	34,629.00
Murdock's Concrete Co. - concrete	11,152.64
3M - marking tape for Transportation Dept.	14,126.13
Cummins Atlantic - emergency generator for Cone Building	14,558.68
Pipeline Supply Co. - parts for Water Resources	13,265.34
Potter Oil - bio-diesel fuel	27,462.88
Snider Tire - tires	24,616.63
Total Billings - billing services for Water Resources	18,123.06

#### **Vouchers issued against budget for payroll & fringe benefits**

Wachovia - gross Coliseum payroll expense for period ended 12/11/05	30,606.38
Wachovia - gross Coliseum payroll expense for period ended 12/18/05	21,267.53
Wachovia - gross payroll expense for payroll ended 12/15/05	5,427,863.78
Internal Revenue Service - FICA expense for payroll ended 12/15/05	253,871.62
NC Local Governmental Employees Retirement System - pension expense for payroll ended 12/15/05	307,596.90
United Health Care - medical insurance premium for December	177,860.00
City of Greensboro - dental insurance premium for December	13,424.30

#### **Vouchers issued against approved resolutions & real estate purchases**

The Point at Lake Jeanette Assoc. - purchase of fee simple, permanent slope & temporary construction easements for Lake Jeanette Road project	32,216.00
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#### **Vouchers issued against budget authorization not under contract**

Duke Power Co. - utilities	17,558.77
Piedmont Natural Gas - utilities	17,324.07
Sprint Carolina - telephone service	17,873.55
Duke Power Co. - utilities	183,889.36
Piedmont Natural Gas - utilities	48,759.30

Piedmont Natural Gas - utilities	\$	13,191.35
Duke Power Co. - utilities		93,761.78

<b>Page Totals</b>	<b>\$</b>	<b>9,466,898.79</b>
<b>Vouchers less than \$10,000.00</b>		<b>568,722.15</b>
<b>Total Issued</b>		<b><u>10,035,620.94</u></b>